



CLOSED VOLUME VOLUME COMPLET

DATED FROM TO
À COMPTER DU June/77 JUSQU'AU Feb./82

AFFIX TO TOP OF FILE - À METTRE SUR LE DOSSIER

DO NOT ADD ANY MORE PAPERS - NE PAS AJOUTER DE DOCUMENTS

FOR SUBSEQUENT CORRESPONDENCE SEE - POUR CORRESPONDANCE ULTÉRIEURE VOIR

FILE NO. - DOSSIER N°

411/30-233

VOLUME

1

Indian Affairs Branch,
1760 Regent St. S.,
SUDBURY, Ontario. P3E 3Z8

December 15, 1980.

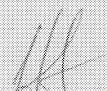
Chief Jack Diamond,
Abitibi Band,
General Delivery,
MATHESON, Ontario.
POK 1N0

411/30-20-(L)

BOUNDARY RESURVEY
ABITIBI I.R. NO. 70

--- Please find attached a provisional print of the resurvey
of the boundaries of Abitibi Indian Reserve No. 70.

If the plan is suitable to Council, please favor us with
a B.C.R. accepting this as the official plan.


H. Fanjoy,
District Superintendent,
Lands, Membership & Estates,
Sudbury District.

Encl.

HF/del



Indian and
Northern Affairs

Affaires indiennes
et du Nord

Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

55 St Clair Ave. East
Toronto, Ontario M4T 2P8
December 9, 1980

District Superintendent
Reserves and Trusts
Sudbury District

Your file Votre référence

Our file Notre référence 411/30-1-233 (L9)

Plan of Abitibi Indian Reserve No. 70

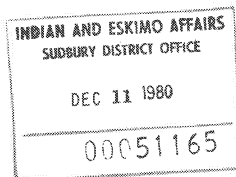
Enclosed are two provisional prints of the above subject plan provided by the Regional Surveyor's office asking if the survey is generally suitable and correct.

The survey was performed under Survey Instructions Item No. C.P. 1-80 dated Nov. 2, 1978 & Oct. 1, 1979.

Please obtain Band Council's acceptance of the subject plan as soon as possible.


S. Fengler

A/ Regional Land Titles Supervisor
Ontario Region



Recycled paper.
Conservez l'énergie.
The future depends on it.

Papier recyclé.
Économisons l'énergie.
L'avenir en dépend.



Band Administrator

Abitibi Band

55 St. Clair Avenue East
Toronto, Ontario M4T 2P8

May 30, 1980



Your file Votre référence

Our file Notre référence

401/36-1-2 (15)

Attached is the following for your records and information:

- ☐ R.S.O. Plans No. _____
- ☐ L.S./LTS # _____
- ☒ C.L.S.R. Plan 66782(Item 23-79)
- ☐ Reserve General/Land Register

S. Fengler
A/Regional Land Titles Supervisor
Ontario Region

cc. Sudbury District District



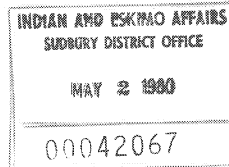
Recycled paper.
Conserve energy.
The future depends on it.

Papier recyclé.
Économisons l'énergie.
L'avenir en dépend.

55 St. Clair Avenue East
Toronto, Ontario M4T 2P8

Band Administrator

ABITIBI I.R. #70



Your file Votre référence

Our file Notre référence 401/36-1-2 (15)

Attached is the following for your records and information:

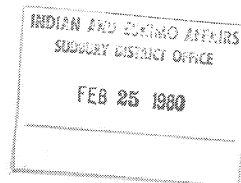
- ☐ R.S.O. Plans No. _____
- ☐ L.S./LTS # _____
- ☒ C.L.S.R. Plan 66707
- ☐ Reserve General/Land Register

S. Fendler
S. Fendler
A/Regional Land Titles Supervisor
Ontario Region

cc. Sudbury District



Indian and
Northern Affairs Affaires indiennes
et du Nord



Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information


Sedbury

TORONTO, Ontario M4T 2P8

Your file Votre référence:

401/36-1-2

Our file Notre référence:

-Attached ~~are~~ is a photostat copy/copies of the 
Register for *Abitibi #70* Indian Reserve. One
copy has been forwarded to the Band Office.
Please amend your records accordingly.

(Miss) M.B. Gillen
Head, Land Titles & Surveys
Ontario Region

Attach.

Recycled paper.
Conserve energy.
The future depends on it.

Papier recyclé.
Économisons l'énergie.
L'avenir en dépend.



Energy, Mines and
Resources Canada

Energie, Mines et
Ressources Canada

Science and Technology

Science et Technologie

Room 301

25 St. Clair Avenue, East
Toronto, Ontario M4T 1M2

Sudbury
District - TNA

DATE OF ISSUE: OCT 1 1979

Your file Votre référence

Our file Notre référence
5206-A1 CD

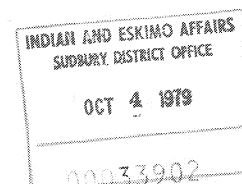
Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

SURVEY INSTRUCTIONS - ITEM 23-79 ONT.

(Please quote this number and file above when writing.)

ISSUED TO:

Mr. T. E. Rody, O.L.S.
T. E. Rody Limited
136-B Third Street
P. O. Box 398
Cochrane, Ontario
POL 1C0



REFERENCE:

Letter: Browne-Rody, dated August 28, 1979
Letter: Rody-Browne, dated September 12, 1979

DESCRIPTION:

Resurvey of Part of the Boundaries of Abitibi Indian Reserve No. 70,
District of Cochrane, Province of Ontario.
(Please use this description in your plan title.)

STATUTORY AUTHORITY
AND INSTRUCTIONS:

Canada Lands Surveys Act and the Manual of Instructions for the
Survey of Canada Lands - Second Edition, supplemented by attached
Appendices A-1, A-2 and Q, Standard Instructions.

RETURNS REQUIRED:

Field notes in plan form suitable to allow future compilation of an
Official Plan of entire Reserve under Section 43 of the Canada Lands
Surveys Act.

FIELD LIAISON:

1. Mr. V. Gran, District Manager, Sudbury District,
Indian and Inuit Affairs, Department of Indian and Northern
Affairs, Regency Gate Mall,
1760 Regent Street, South
Sudbury, Ontario P3E 3Z8
Telephone: (705) 522-5100
Please refer to attached Appendix A-1 (3), Standard Instructions.

Continued.....

2. Chief J. Diamond,
Abitibi - Ontario Indian Band
Low Bush River
Cochrane, Ontario POL 1CO
Telephone: (705) 272-4497
Contact via Cochrane Indian Friendship Centre, Cochrane, Ontario.
3. Mr. D. H. Browne, O.L.S., C.L.S.
Regional Surveyor Ontario, Legal Surveys Division,
Energy, Mines and Resources Canada
25 St. Clair Avenue, East - Room 301
Toronto, Ontario M4T 1M2
Telephone: (416) 966-7503; 7539.

- SPECIAL REMARKS:

The boundaries to be resurveyed are shown outlined in red on enclosure 5.

Our intention is to compile in this office a plan of Abitibi Indian Reserve No. 70 and the Addition to Abitibi Indian Reserve No. 70, using your field notes, C.L.S.R. plan of field notes 65628 (enclosure 6), J. H. Shaw, O.L.S., shore traverse of the Reserve (C.L.S.R. F.B. 473 - enclosure 4) and Speight and Van Nostrand, O.L.S.'s shore traverse of the Addition to Abitibi Indian Reserve No. 70 (enclosure 12).

You are required to make connections to all surveys adjacent to the boundaries being surveyed. In this regard, refer in particular to enclosures 7j to 7m. You are to determine if any additional surveys exist along the aforementioned boundaries and include plans of them (if applicable) with your returns.

You are to determine the position of both banks of the Kaquaquachechewaig Creek between the east rectilinear boundary of the Reserve and Lake Abitibi (refer to C.L.S.R. F.B. 473 - Tracing No. 4 (enclosure 4)).

You must connect by monumented traverse for mathematical closure purposes the following:

1. Your resurvey of the east boundary of Abitibi Indian Reserve No. 70 (C.L.S.R. Plan T886).
2. Your resurvey of Mining Claims T.P.42 and T.P.43 (enclosures 7n and 14).
3. The iron survey posts set by J. Robertson, O.L.S. (enclosure 7a - page 13) and by J. H. Shaw, O.L.S. (enclosure 4 - Tracing No. 1) at the northerly end of the original west boundary of Abitibi Indian Reserve No. 70.

Continued.....

4. The west boundary of the Addition to Abitibi Indian Reserve
No. 70 (C.L.S.R. field note plan 65628 - enclosure 6).

As mentioned above, we intend to use Speight and Van Nostrand's field notes to plot part of the O.H.W.M. of Lake Abitibi on the compiled plan. Therefore it is important that you connect the 14" Black Ash identified as 53A on enclosure 12 - page 119 to your survey. There is some confusion as to which bar Speight and Van Nostrand connected to opposite traverse station 480 (enclosure 12 - page 119). It is, therefore, important that you connect to the monuments set by Robertson and Shaw at this location, and at the same time search for any additional survey monuments set at this location.

For this particular survey we require that the interval between monuments on the rectilinear boundaries not exceed 600 metres.

All survey bars, posts and blazes are to be painted and all survey posts set by you on the rectilinear boundaries are to be marked I.R. on the Reserve side and numbered consecutively from thirty (30) upwards beginning at the southwest corner of the Reserve. The monuments set in the above mentioned traverse are to have a distinctive numbering system, i.e. T1, T2, T3, etc.

The aerial photographs (enclosure 30) are to be returned to Mr. D. H. Browne when they are no longer required for this survey.

For General Instructions regarding the survey and returns, refer to Part B of the Manual of Instructions for the Survey of Canada Lands - Second Edition (enclosure 32).

Your survey returns and account are to be submitted to Mr. D. H. Browne, O.L.S., C.L.S., Regional Surveyor (see address under "Field Liaison" (3)).

A list of enclosures is attached. Please be advised that enclosure 7h is not a confirmed plan.

ORIGINAL SIGNED BY
J.L. (JIM) HILL, O.L.S.

W. V. Blackie
Surveyor General and Director
Legal Surveys Division

BGP/mk

xc: Director, Lands Membership and Estates - INA Toronto
District Manager, Sudbury District - INA
Administrator of Surveys, Lands Branch - INA Ottawa
Surveyor General and Director - EMR Ottawa (Copy of enclosures 2, 3, 5, 11 and 12
attached)

ENCLOSURES:

Copies of the following:

1. Purchase Order No. 1478749 confirming your contract for the above work.
2. Band Council Resolution No. 10 dated October 24, 1978.
3. C.L.S.R. index card, plans and field notes enclosed, underlined and numbered in red.
- 4.
- to 6. Plans and field notes referred to in (3) above.
- 7a Report and Field Notes of the Survey of Meridian Lines and Base Lines, District of Nipissing. Surveyed by James Robertson, Ontario Land Surveyor, 1903 - Pages: Title Page, Index Map, 12, 13, 14, 24, 25 and 31.
- 7b Report and Field Notes of the Survey of the Township of Milligan, District of Nipissing. Surveyed by James S. Dobie, Ontario Land Surveyor, 1903 - Pages: Title Page, Index Map, 37 and 48.
- 7c Plan of the Township of Milligan, District of Timiskaming. Scale: 40 chains to an inch. Surveyed by James S. Dobie, O.L.S. in 1903.
- 7d Report and Field Notes of the Survey of the Township of McCool, District of Nipissing. Surveyed by W. A. McLean, Ontario Land Surveyor, 1903. Pages: Title Page, Index Map, 1 and 7.
- 7e Plan of the Township of McCool, District of Timiskaming. Scale: 40 chains to 1 inch by W. A. McLean, Ontario Land Surveyor, December 21, 1903.
- 7f Report and Field Notes of the Survey of the Township of Michaud, District of Nipissing. Surveyed by Geo. A. McCubbin and James Robertson, Ontario Land Surveyors, 1903 and 1905. Pages: Title Page, Index Map, 37 and 48.
- 7g Report and Field Notes of the Resurvey of the Township of Garrison, District of Cochrane. Surveyed under instructions from the Department of Surveys by J. B. Chambers, Ontario Land Surveyor, 1947. Pages: Title Page, Index Map 7 and 43 to 50.
- 7h Plan of Resurvey of North, South, East, West Boundaries of Garrison Township, District of Cochrane. Scale = 1 inch = 20 chains, by J. B. Chambers, Ontario Land Surveyor, 1947.
CAUTION: As of August 1, 1979 this plan was not confirmed.
- 7i Plan of Township of Rand, District of Cochrane, Scale: 40 chains equals 1 inch. Compiled by Dept. of Surveys, Parliament Buildings, Toronto, Ontario, Canada, dated October 1933.

Continued.....

- 7j Plan and Field Notes of Mining Claims L.55314 to 19 inclusive and L.55334 to 38 inclusive, Township of Garrison, District of Cochrane. Scale: 1" = 10 chains by J. A. Lonergan, O.L.S., July 9, 1954.
- 7k Mining Claim Survey Plan and Field Notes Township of Garrison, Larder Lake Mining Division. Scale: 5 chains = 1 inch, by Colin D. Hadfield, Ontario Land Surveyor, August 13, 1959.
- 7l Plan and Field Notes of Mining Claims L64090 and L64089, Township of Garrison, District of Cochrane. Scale: 1" = 10 chains, by J. A. Lonergan, O.L.S., April 4, 1961.
- 7m Plan and Field Notes of Mining Claims L46953 to 57 inclusive, 55339-40, 56784-5, 56828-9 and 58457, Township of Garrison; L55463, Township of Rand, District of Cochrane. Scale: 1" = 10 chains, by J. A. Lonergan, O.L.S., March 20, 1952.
- 7n Plan of Mining Claims T.P.42 (now T.23190) - T.P.43 (now T.23192) - T.P. 44 (now T.23455) T.P.45 (now T.23191) and T.23456, South Bay, Lake Abitibi, District of Cochrane. Scale: 10 chains = 1 inch, by G. F. Summers, O.L.S., September 26, 1935.
- 7o Ministry of Natural Resources, Ontario Plan No. M3346, Iroquois Point, Scale: 1 inch = 40 chains, dated May 1973.
- 8. Ministry of Natural Resources, Ontario Plan No. M-349, Township of Garrison, Scale: 1 inch = 40 chains, updated to July 19, 1979.
- 9. Ministry of Natural Resources, Ontario Plan No. M365, Township of McCool, Scale: 1 inch = 40 chains, updated to July 19, 1979.
- 10. Ministry of Natural Resources, Ontario Plan No. M.383, Township of Rand, Scale: 1 inch = 40 chains, updated to July 19, 1979.
- 11. Report and Field Notes of the Survey of Township Outlines, District of Timiskaming. Surveyed by Herbert J. Beatty, Ontario Land Surveyor, 1918 - Pages: Title Page, Index Map, 1 and 2.
- 12. Report and Field Notes of the Traverse of the Shore and Islands, Lower Lake Abitibi, District of Nipissing. Surveyed by Speight and Van Nostrand, Ontario Land Surveyors, 1908 - Pages: Title Page, 108 to 121 inclusive.
- 13. Part of Ministry of Natural Resources Plan T.84 (Sheet No. 1). Plan Shewing Shore and Islands of Lower Lake Abitibi, District of Nipissing, Ontario. Survey by Speight and Van Nostrand, Ontario Land Surveyors, dated 19 May, 1908.
- 14. Letter: Deputy Minister of Lands and Forests (Ontario) to J. D. McLean, Department of Indian Affairs, dated August 9, 1910 (sketch attached).

Continued.....

15. Ontario Order-in-Council dated December 1, 1910.
16. Sheet Index of Photomosaics of Abitibi Indian Reserve No. 70, Ontario.
- 17.
- to 26. Photomosaics of Abitibi Indian Reserve No. 70, Ontario.
CAUTION: The position of the rectilinear boundaries is plotted only approximately.
27. Metric Note.
28. N.T.S. map sheet 32 D/12W; "LIGHTNING RIVER"; Scale 1:50,000.
29. N.T.S. map sheet 42 A/9; "MATHESON"; Scale 1:50,000.
30. Aerial photographs - Roll A22532 - Nos. 33, 34, 35, 98 and 99. Flown August 15, 1971 at 26,000 feet A.A.S.L. with 6.017 inch lens. - Roll A22552 - Nos. 33, 34, 35, 97, 98 and 99. Flown September 1, 1971 at 26,000 feet A.A.S.L. with 6.017 inch lens. Flight data also enclosed.
31. L.S.71A.
32. Manual of Instructions for the Survey of Canada Lands - Second Edition.
33. Invoice No. E 105802 , covering the cost of enclosure 32.
- 34.
- to 37. Forest Resources Inventory Sheets 485794, 485801, 486794 and 486801 respectively.

55 St. Clair Avenue East
TORONTO, Ontario M4T 2P8

August 15, 1979

Chief
Lands Administration
Reserves and Trusts
Department of Indian Affairs
and Northern Development
OTTAWA

411/30-1-233 (19)

Att: Administrator of Surveys

Entitlement Survey
Proposed Resurvey of South and East boundaries
Opitish Indian Reserve No. 70 (Item 51-78)

Please refer to our letter of June 29, 1979 regarding the discretionary
and non-discretionary expenditure for the 1979-80 Ontario Land Survey
Program.

Enclosed is a copy of letter dated July 25, 1979 from the Assistant
Regional Surveyor, Ontario Region whereby he recommends that this
project be completed. The request was categorized as a discretionary
item when the lists were submitted to you.

We concur with Mr. Hill's recommendation that this resurvey be con-
sidered a non-discretionary item.

This survey has regional approval and has been included in the 1979-80
Ontario Land Survey Program.

ORIGINAL SIGNED
BY S. FENGLER

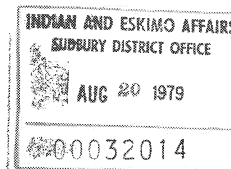
Regional Land Titles Supervisor
Ontario Region

FENGLER/

cc. District Land Administrator
Sudbury District

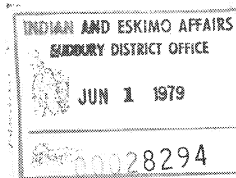
cc. Regional Surveyor, Ontario

MAIL TO





Indian and
Northern Affairs Affaires indiennes
et du Nord



Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

TORONTO, Ontario M4T 2P8

Band Administrator,

Your file Votre référence

Our file Notre référence

District Office,

Sarnbury

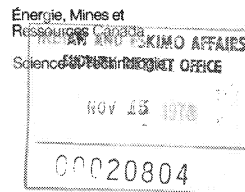
Plan of *4 Mts. of Recovery of Part of the Wm.
Patrie's Boundary of Abitibi I.R.#70*

Attached for your records is a copy of the plan for the subject
survey recorded under C.L.S.R. Plan No. 65628.

M.B. Gillen
M.B. Gillen,
Head, Land Titles and Surveys,
Ontario Region.

*NOTED Km
7-6-79*

*OK filed
11/6/79 DS.*



Date of Issue: NOV 2 1978

Your file Votre référence

Our file Notre référence

5206-A1 CD (L15)

Survey Instructions - Item 51-78 Ont.
(Please quote this number and file above when writing).

Issued to:

Mr. H. Coupland, O.L.S.,
Marshall Macklin Monaghan Ltd.,
Ontario Land Surveyors,
33 Manitoba Road,
Elliott Lake, Ontario.
P5A 2A7

Reference:

Letter Browne - Coupland, October 2, 1978.
Letter Coupland - Browne, October 16, 1978.

Description:

Resurvey of Part of the West Rectilinear Boundary of
Abitibi Indian Reserve No. 70 and Survey of Part of
the Rectilinear Boundaries of the Addition to Abitibi
Indian Reserve No. 70, District of Cochrane, Province
of Ontario. (Please use this description in your plan
title).

Statutory Authority
and Instructions:

Canada Lands Surveys Act and the Manual of Instructions
for the Survey of Canada Lands supplemented by attached
Appendices A-1, A-2 and Q, Standard Instructions.

Returns Required:

Field notes in plan form suitable to allow future compilation
of an Official Plan of entire Reserve under Section 43 of
the Canada Lands Surveys Act.

Field Liaison:

1. Mr. V. Gran, District Manager, Sudbury District,
Indian and Inuit Affairs Program, Department of
Indian and Northern Affairs, Regency Gate Mall,
1760 Regent Street South, Sudbury, Ontario. P3E 3Z8.
Telephone (705) 522-5100. Please refer to Part (3)
of attached Appendix A-1, Standard Instructions.
2. Chief Jack Diamond, Abitibi - Ontario Indian Band,
Low Bush River, Cochrane, Ontario. P0L 1C0. Contact
via Cochrane Indian Friendship Centre, Cochrane,
Ontario. Telephone (705) 272-4497.

MAIL TO

District Manager, Sudbury District
...2

Surveys and Mapping Branch
615 Booth Street
Ottawa Canada
K1A 0E9

Directions des Levés et de la Cartographie
615, rue Booth
Ottawa Canada
K1A 0E9

Field Liaison:
(Contd)

Special Remarks:

3. Mr. D.H. Browne, D.L.S., O.I.S., Regional Surveyor,
Legal Surveys Division, Department of Energy, Mines
and Resources, 25 St. Clair Avenue East, Toronto,
Ontario. M4T 1M2. Telephone (416) 966-7503;7539.

The boundaries to be surveyed and resurveyed are shown outlined
in red on enclosure 4.

The true rectilinear boundaries are to be cut out and blazed
as specified in Sections 26, 27 and 28, Page B-18 of the
C.L.S. Manual. The boundaries are to be clear recognizable
lines devoid of fallen trees, logs and brush but cutting of
merchantable timber should generally be avoided.

The distance to the O.H.W.M. of Lake Abitibi is to be measured
along the rectilinear boundary from the nearest survey monument.

You will be required to make surveyed connections to any surveyed
mining claims adjacent to the boundaries being surveyed and show
them on your plan of field notes. In this regard please refer
to enclosures 14 and 15.

Regarding monumentation, please refer to Part B, Chapter 6 of the
C.L.S. Manual and Proposed Amendment to the Manual Nos. 18 and
19 (enclosure 19). All survey bars, posts and blazes are to be
painted and all survey posts set by you on the rectilinear bound-
aries are to be marked "I.R." on the Reserve side and numbered
consecutively from one upwards beginning at the northwest corner
of the Reserve. Monumentation along the rectilinear boundaries
is not to exceed one half mile intervals. Each survey bar is
to be referenced by bearing trees and wooden posts at least
4" x 4" in accordance with Sections 34 and 36 of Proposed Amend-
ment to the Manual No. 19 (enclosure 19). We will not accept
iron survey bars less than thirty inches in length unless they
are the type specified for use where bedrock is present.

The returns of survey are to consist of field notes in plan form
as specified in Part B, Chapter 9 of the C.L.S. Manual and Pro-
posed Amendment to the Manual Nos. 6, 7 and 20 (enclosure 19).
To facilitate efficient microfilming of your field notes, it is
important that you comply with the draughting requirements in
Proposed Amendment to the Manual No. 20.

Show in the diagram of the field notes the nature and position of
all significant permanent features (man-made and natural) adjacent
to the boundaries being surveyed. Connections must be made in
accordance with Part B, Chapter 7, Section 5, Page B-22 of the
C.L.S. Manual.


The aerial photographs (enclosure 23) are to be returned to
Mr. D.H. Browne when they are no longer required for this survey.

...3

Special Remarks:
(Contd)

Regarding your estimate of cost for the above survey, please note particularly Section 6, Page C-17 of the Manual of Instructions for the Survey of Canada Lands and Clause 3 of the enclosed Purchase Order (enclosure 1).

A list of enclosures is attached. You are required to return enclosures 17 and 18 as these are our only copies of those plans. Please be advised that enclosure 12 is not a confirmed plan.


W.V. Blackie,
Surveyor General and Director,
Legal Surveys Division.

DGP:dl

- ✓ c.c. Regional Director General, Ontario.
- c.c. District Manager, Sudbury District.
- c.c. Administrator of Surveys, Lands Division, Ottawa.
- c.c. Regional Surveyor, Ontario.

Enclosure:

Copies of the following:

1. Purchase Order No. 95408 confirming your contract for the above work.
2. C.L.S.R. index card, plans and field notes enclosed underlined and numbered in red.
- 3 and 4. Plan and field notes referred to in (2) above.
- 4a. Ontario Order-in-Council dated December 1, 1910.
5. Report and Field Notes of the Survey of Meridian Line and Base Lines, District of Nipissing. Surveyed by James Robertson, Ontario Land Surveyor, 1903. - Pages - Title Page, Index Map, 12 to 25 inclusive, 31.
6. Report and Field Notes of the Survey of the Township of Milligan, District of Nipissing. Surveyed by James S. Dobie, Ontario Land Surveyor, 1903. - Pages - Title Page, Index Map, 1, 7, 13, 19, 25, 31, 37, 43 to 48 inclusive.
7. Plan of the Township of Milligan, District of Timiskaming. Scale: 40 chains to an inch. Surveyed by James S. Dobie, O.L.S. in 1903.
8. Report and Field Notes of the Survey of the Township of McCool, District of Nipissing. Surveyed by W.A. McLean, Ontario Land Surveyor, 1903. - Pages - Title Page, Index Map, 1, 7, 13, 19, 25, 31, 37.
9. Plan of the Township of McCool, District of Timiskaming. Scale 40 chains to 1 inch by W.A. McLean, Ontario Land Surveyor December 21, 1903.
10. Report and Field Notes of the Survey of the Township of Michaud, District of Nipissing. Surveyed by Geo. A. McCubbin and James Robertson, Ontario Land Surveyors, 1903 and 1905. - Pages - Title Page, Index Map, 37, 48.
11. Report and Field Notes of the Resurvey of the Township of Garrison, District of Cochrane. Surveyed under instructions from the Department of Surveys by J.B. Chambers, Ontario Land Surveyor, 1947. - Pages - Title Page, Index Map, 5, 6, 7, 48, 49 and 50.
12. Plan of Resurvey of North, South, East, West Boundaries of Garrison Township, District of Cochrane. Scale = 1 inch = 20 chains. By J.B. Chambers, Ontario Land Surveyor, 1947. CAUTION: As of August 28, 1978 this plan was not confirmed.
13. Plan of Township of Rand, District of Cochrane, Scale 40 chains equals 1 inch. Compiled by Department of Surveys, Parliament Buildings, Toronto, Ontario, Canada, dated October 1933.

...2

Enclosures:
(Contd)

14. Plan and Field Notes of Mining Claims L.55314 to 19 inclusive and L.55334 to 38 inclusive, Township of Garrison, District of Cochrane. Scale - 1" = 10 chs. by J.A. Lonergan, O.L.S., July 9, 1954.
15. Mining Claim Survey Plan and Field Notes Township of Garrison - Larder Lake Mining Division. Scale: 5 chains = 1 inch, by Colin D. Hadfield, Ontario Land Surveyor, August 13, 1959.
16. Ministry of Natural Resources, Ontario Plan No. M375, Rayner Lake dated May/73.
17. Forest Resources Inventory sheet 485801 - Revised 1971.
18. Forest Resources Inventory sheet 486801 - Revised 1971.
19. Proposed Amendment to the Manual Nos. 2, 3, 6, 7, 18, 19 and 20.
20. L.S. 71A - One copy.
21. N.T.S. map sheet 32 D/12W; "LIGHTNING RIVER"; Scale 1:50,000.
22. N.T.S. map sheet 42 A/9; "MATHESON"; Scale 1:50,000.
23. Aerial Photographs - A22532 - Nos. 33, 34, 35, 97, 98 and 99. Flown August 15, 1971 at 26,000 feet A.A.S.L. with 6.0129 inch (152.73 mm) lens. - A22552 - 33, 34, 35, 97, 98 and 99. Flown September 1, 1971 at 26,000 feet A.A.S.L. with 6.0129 inch (152.73 mm) lens. Flight data and part prints of topo sheets showing flight lines also enclosed.

55 St. Clair Avenue East,
Toronto, Ontario M4T 2P8
November 7, 1978

Administrator of Surveys,
Lands Administration,
Reserves and Trusts,
Department of Indian Affairs and
Northern Development,
OTTAWA.

411/30-1 (L5)

Re: Entitlement Survey
Resurvey of Exterior Boundaries
Abitibi Indian Reserve No. 70, Ontario

Further to letter dated April 21, 1978 on the subject matter,
attached is Band Council Resolution No. 10 dated October 24,
1978 whereby the Abitibi Ontario Band Council request the
resurvey of the exterior boundaries of their reserve.

B.C.R. #10 has Regional approval and the survey item has been
included on our 1978-79 Survey program.

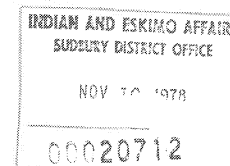


M. B. Gillen
Regional Land Titles Supervisor
Lands, Membership and Estates
Ontario Regional Office

Attach.

MBGillen/ais

c.c. DIAND, Sudbury District
Att: District Superintendent, Lands, Membership and Estates



F. G. Morton,
Asst. Regional Director,
Lands, Membership & Estates,
Ontario Region.

Indian Affairs Branch,
1760 Regent Street, South,
SUDBURY, Ontario. P3E 3Z6
October 27, 1978.


411/30-233 (L)

ATTN: M. B. GILLEN

ABITIBI BAND COUNCIL RESOLUTION NO. 10
SURVEY OF EXTERNAL BOUNDARIES

- - Please find attached, Abitibi Band Council Resolution
number 10, requesting a survey of external boundaries
of Abitibi Indian Reserve No. 70.

We understand survey instructions are already prepared
for this survey and request that they proceed with the
survey.


H. Fanjoy,
District Superintendent,
Lands, Membership & Estates,
Sudbury District.

ENCL.
HF/rh

s.19(1)

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro chronologique

10

File Reference - N° de réf. du dossier

44/30-233

Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

NOTE: The words "From our Band Funds" "Capital" or "Revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds
NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds de la bande

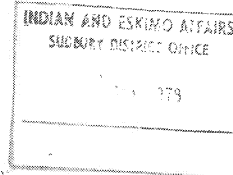
THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	Abitibi Ontario Band	Current Capital Balance Solde de capital	\$
AGENCY DISTRICT	Sudbury	Committed - Engagé	\$
PROVINCE	Ontario	Current Revenue Balance Solde de revenu	\$
PLACE NOM DE L'ENDROIT	Abitibi #70 Reserve	Committed - Engagé	\$
DATE	24 October AD 19 78 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:

DÉCIDE, PAR LES PRÉSENTES:

BE IT RESOLVED THAT the Band Council of Abitibi #70 Ontario request that the boundary line of Abitibi #70 reserve be re-surveyed as early as possible.

BE IT ALSO RESOLVED THAT the band members be hired as line cutters for the boundary survey.



A quorum for this Band
Pour cette bande le quorum est

consists of
fixé à
Council Members
Membres du Conseil

(Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVE AU MINISTÈRE				
1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR A. Capital \$	B. Revenue - Revenu \$	3. Expenditure Dépense \$	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens
				5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue <input type="checkbox"/> Revenu
6. Recommended - Recommandable			Approved - Approuvable	
Date Recommending Officer - Recommandé par			Date Approving Officer - Approuvé par	

FA 135 (3-74) 7830-21-023-4662

A0428359_22-000022

Indian Affairs Branch,
1860 Regent Street, South,
SUDBURY, Ontario. P3E 3Z8
August 1, 1978.

Chief Jack Diamond,
Abitibi #70,
P.O. Box 1822,
COCHRANE, Ontario.

411/30-20 (L)


BOUNDARY SURVEY ABITIBI #70

Dear Chief Diamond:

Further to my letter of June 27, 1978, concerning
resurvey of boundaries of Abitibi #70.

I have requested the survey branch to hold this
survey in obedience until we hear from you, as to
whether you wish us to proceed with the survey.

We would appreciate your comments in regard to the
above.


R. Panjoy,
District Superintendent,
Lands, Membership & Estates,
Sudbury District.

HF/rh

Aug 23/78
Letter to Subert Chevalier
CD Worker treaty # 7. He will
attend B.C. R Band members to
out lines *HS*

Indian Affairs Branch,
1760 Regent Street, South,
Sudbury, Ontario. P3E 3E8
June 27, 1978.

Chief Jack Diamond,
Abitibi #70,
P.O. Box 1822,
Cochrane, Ontario.

411/30-20 (L)

BOUNDARY SURVEY ABITIBI #70


Dear Chief Diamond:

Please find attached previous correspondence regarding the boundary survey as questioned in your letter of June 19, 1978.

As mentioned in our letter of June 23, 1977 the department is up-dating boundary surveys on reserve that have not been surveyed for many years in order to be readily able to identify these boundaries in cases of trespass, logging etc.

At present reserves such as yours where there are no band members living on the reserve have a tendency at times to have cases of trespassing, due to old reserve boundaries having grown over and not easily identifiable.

You will see from the attached correspondence that we have been trying to contact the band regarding this survey for quite some time now. If you have any further questions, or wish to have this survey delayed or cancelled, please contact me at this office.


H. Fensoy,
District Superintendent,
Lands, Membership & Estates,
Sudbury District.

ENCL.
HF/rh

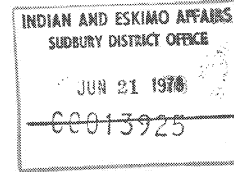


GRAND COUNCIL TREATY #9

"Association of Treaty #9 Chiefs"

Central Office: Tel. (705) 267-2185 Telex 067-81595
201 - 3rd Avenue, TIMMINS, ONTARIO

Regional Office: Thunder Bay, Ontario



Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

TO: Peter Mah, District Planner, D.I.A.
FROM: Jack Diamond, Chief of Abitibi #70
DATE: June 19, 1978
RE: ABITIBI #70 BOUNDARY LINE

To our understanding the Department has plans
to recut the boundary line on Abitibi Reserve #70.

We, the Abitibi #70 Band Council, is requesting
detailed information from the Department on what type
of action is being planned to this regard.

We would appreciate this information as soon
as possible. Thank you very much!

Chief Jack Diamond, Abitibi #70
P.O. Box 1822
COCHRANE, Ontario

CJD/df

Indian Affairs Branch,
1740 Regent Street, South,
Sudbury, Ontario. P3B 3B6
April 5, 1978.

M. G. Morton,
Asst. Regional Director,
Lands, Membership & Estates,
Ontario Region.


411/30-20 (1)

EXTERNAL BOUNDARY RESURVEY
ABITIBI INDIAN RESERVE NO. 70

We have been trying to obtain a Band Council
Resolution from Abitibi Band since June 23, 1977
in regard to the above survey.

This band operates under band custom and the Chief,
James Diamond is now deceased (March, 1978). There
is no one residing on the reserve and the last survey
was done in 1906.

Based on the reserve being vacant and funds available
to resurvey the boundaries this year, I recommend that
we proceed to resurvey in the interest of good management
and control of trespassing.


E. Fanjoy,
District Superintendent,
Lands, Membership & Estates,
Sudbury District.

BF/rh

Indian Affairs Branch,
1760 Regent Street, South,
SUDBURY, Ontario. P3E 3Z8
December 12, 1977.

Chief James Diamond,
Abitibi,
P.O. Box 668,
COCHRANE, Ontario.

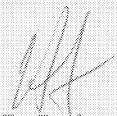
411/30-20 (D3)

EXTERNAL BOUNDARY RESURVEY
ABITIBI INDIAN RESERVE NO. 70

Further to our letter of June 23, 1977, we would
appreciate your advising us as soon as possible
if you wish to have the reserve boundaries resurveyed.

- - -
I am attaching a sample Band Council Resolution for your
guidance if you so decide.

ENCL.
HF/rh


E. Fanjoy,
District Land
Administrator,
Sudbury District.

*Call James
Diamond
272-4274
Northern Office
Mr. Rhodes*

Indian Affairs Branch,
1760 Regent Street, South,
SUDBURY, Ontario. P3E 3E8
June 23, 1977.

Chief James Diamond,
Abitibi,
P.O. Box 668,
COCHRANE, Ontario. P0L 1C9


411/30-20 (D3)

EXTERNAL BOUNDARY RESURVEY

Our department is presently undertaking re-surveys of external boundaries of all reserves that have not been surveyed for many years. Your reserve is indicated as one of these.

We have been advised that funds are available to complete the survey this year and would appreciate a B.C.R. requesting the survey as per sample B.C.R. attached.

ENCL.
HF:rh


H. Panjey,
District Land
Administrator,
Sudbury District.

**Pages 29 to / à 386
are under consultation
sont sous consultation**

Page 387
is not relevant
est non pertinente



East and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

MAY -4 1988

Ray Hatfield
Director,
Lands, Revenues and Trusts
Ontario Region

Attention: F. Shipley

Abitibi I.R. No. 70, Ontario

This refers to your DEX message of April 28, 1988 with respect to the proposed surrender for lease for a cottage development.

A review of this matter by the Land Entitlement Division and Legal Services confirms that the Wahgoskig (Abitibi-Ontario) Band No. 233 and the Abitibiwinni Band No. 55 hold a joint and undivided interest in Abitibi I.R. 70. A copy of Mr. Webb's legal opinion of September 24, 1987 is attached. As such, both bands will have to participate in any surrender for lease and both bands are entitled to share in any revenues on a per capita basis.

I will address your specific questions in order:

- a) Yes. A resolution from Abitibiwinni Band Council requesting a surrender vote will be required. Because each band holds an undivided interest in the reserve, there are, in effect, two surrender votes to be taken, one for each band. We would expect to process one order-in-council to accept both surrenders. Since the reserve land involved is administered from Ontario Region I believe that your region, presumably at Sudbury District, should arrange both votes. You should liaise beforehand with Quebec Region and seek their advice and cooperation as necessary. Your contact in Quebec is Mr. Jacques Rivet, Manager of Lands, at 418-643-4780.

. . . /2

Canada

A0429149_2-000388



- 2 -

- b) Yes. It is necessary to post notices on the Pikogan reserve, band council offices and such other locations the supervising officer deems necessary to ensure notice is given to Abitibiwinni band members of the surrender vote requested by their council. The same requirement for notice would of course apply to the Wahgoshig Band.
- c) Those electors of the Abitibiwinni Band eligible to vote at Abitibiwinni band elections, registered on the band list and 18 years old or over, are eligible to vote at the Abitibiwinni surrender vote. Statutory Requirements advise that Abitibiwinni Band have always voted by band custom. The requirements therefore under Section 77 for electors to be ordinarily resident on reserve (either the Abitibi I.R. No. 70 or the Pikogan reserve) will not apply, unless their band custom requires residency. I understand Wahgoshig Band also votes by custom and therefore the residency requirements similarly would not apply, unless their custom requires residency.
- d) Yes. Abitibiwinni Band is entitled to share in any revenues on a per capita basis. The Wahgoskig B.C.R. 194 of March 28, 1988 is not capable of implementation, in providing for all monies received from the leasing to be credited to Wahgoshig band funds. A new B.C.R. will be required.

As you know, Ms Elaine Clark of the office of Mr. John MacDougall, M.P. has been inquiring of our office as to the status of this proposed surrender. Rick Simison, Lands Advisory Services, after discussing the matter with Ms Clark, telephoned Mr. Vern Robinson (705-567-4891) who works with the band administration and represents the band with respect to the development. It was clear from this discussion that the Wahgoshig Council does not now agree with the Abitibiwinni Band sharing an interest in Abitibi I.R. 70. Mr. Robinson questions the right of Abitibiwinni band members to vote with respect to the surrender if they are not ordinarily resident on Abitibi I.R. No. 70. I believe this is addressed by my comments under c) above.

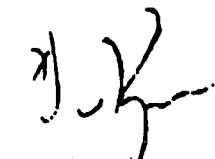
. . . /3

- 3 -

Mr. Robinson also advised that the proposed head lessee for this 62 lot development is a Wahgoshig development corporation. This would appear not to be a band corporation. You will want to request copies of the articles of incorporation and any declarations of trust held by shareholders on behalf of the Wahgoshig band. Wahgoshig Corporation intends to pay \$2.00 head lease rental, with that amount only divided per capita with Abitibiwinini. Sublease rentals would presumably be paid at market value to the corporation.

Such an arrangement denying the revenues and benefits from the leases to the bands entitled to them would be contrary to the Minister's fiduciary obligations. We are accordingly not prepared to recommend that the Deputy Minister order a surrender vote until the interest of both bands in the reserve, their per capita entitlement to lease revenues and the basic features of the development proposal are clearly spelled out in the B.C.R.'s of both bands, in the notices posted and in information meetings held before the surrender with each band. I suggest that surrender dates for each band be not set by B.C.R. until these outstanding questions have been resolved between the two bands and the department at the regional and district office. Please forward to me any draft B.C.R.'s and surrender notices with your recommendations prior to any finalization of surrender dates.

I trust the above will be of assistance.



Graham Swan
A/Director
Lands Directorate
Lands and Environment
OTTAWA, Ontario

Page 391
is not relevant
est non pertinente

ABITIBI INDIAN RESERVE NO. 70

August 1st, 1951.

We, the undersigned, Chief and Councillors of the ABITIBI Band of Indians owning the Reserve situated at LAKE ABITIBI, in the ABITIBI Indian Agency, in the Province of ONTARIO at a council summoned for the purpose, according to the rules of the Band, and held on the said Reserve, this ^{14th} ~~24th~~ day of ~~August~~ ^{August}, A.D. 1951, in the presence of the Indian Superintendent for the said Reserve, representing thereat the Minister of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi Trust Account No. 70 be divided on a per capita basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian Reserve No. 70 and that income from it be credited on a per capita basis to our new respective Trust Accounts;
4. That save for the above joint ownership and participation in income we, henceforth, be considered in all respects as two separate and distinct Bands of Indians; namely:-
 - (a) Those of us who are Treaty Nine Indians resident in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty and reside in the Province of Quebec.

Signed and sealed in the presence
of H. L. A. V. I. E. T. E.
[Signature]
Indian Superintendent

Tom Rankin # 94
Tom Rankin..... Chief.
 Noah Kistabish # -65
Noah Kistabish..... H.M.
CWA 1165 CWA
 Thomas Shawa #..... H.M.
J.B. Matabache..... H.M.
 J.B. Matabache #104.....
James McDougall..... H.M.
 James McDougall #102.....

Original 1633
1908

THIS TREATY was made in duplicate and entered into this *twenty*
second day of *June* one thousand nine hundred and eight
in the presence of Colonel Stuart, Esquire, one of His Majesty's
Commissioners and Negotiators Treaty No. 6, representing the Depart-
ment of Indian Affairs of the Dominion of Canada, between the chiefs
of the Algonquin Indian Reserve in the Province of Ontario, Dominion
of Canada, as represented by their Chief, Counsellors and principal men;
hereinafter called the Parties of the First Part and the
Algonquin Band of the Province of Quebec and Dominion of Canada, as
represented by their Chief, Counsellors and principal men, hereinafter
called the Parties of the Second Part.

WHEREAS that the Parties of the First Part for themselves
and their descendants agree to admit the Parties of the Second Part
and their descendants into their Band, and allow them as members
thereof to have, hold and possess forever an undivided interest in
all land and other privileges now possessed and enjoyed or which may
at any time hereafter be possessed and enjoyed by the said Parties
of the First Part.

AND WHEREAS also, that the Parties of the Second Part having
had communication of the Treaty made with the Algonquin Indians and
signed on the 7th day of June 1908, known as Treaty No. 6, hereby in
consideration of the provisions of the said Treaty being extended to
them (it being understood and agreed that the said provisions shall
not be retroactive) transfer, surrender and relinquish to His Majesty
the King, his heirs and successors, to and for the use of the Govern-
ment of Canada, all their right, title and privileges whatsoever,
which they have or enjoy in the territory described in the said
Treaty, and every part thereof, to have and to hold to the use of

His Majesty the King, and his heirs and successors forever.

AND the said parties of the Second Part hereby agree to accept the several benefits accorded by the Treaty aforesaid, payment of annuity at the rate of \$2.00 per capita (the said payment not to be retroactive) and an interest in land as before mentioned, waiving all claims to the allotment of a Reserve in the Province of Quebec or any other part of the Dominion of Canada. And the said Parties of the Second Part solemnly engage to abide by, carry out and fulfil all the stipulations, obligations and conditions contained in the said Treaty No. 9 on the part of the Chiefs and Indians therein named to be observed and performed, and the said Parties of the Second Part agree in all things to conform to the articles of the said Treaty, as if they themselves had been originally contracting parties thereto and had attached their signatures to the said Treaty.

This Agreement having been translated and read over and its provisions fully explained in the Ojibway language to the Indians concerned was sealed, signed and delivered in the presence of the undersigned at Ametibi this *fourth day of June* one thousand nine hundred and eight.

Signed by the parties hereto in the presence of the undersigned witnesses, the same having been first explained to the Indians by

Amos E. Smith
Frank K. Smith
Wm. J. Smith
David McKenzies

Louis MacGargall
Amos E. Smith
Frank K. Smith
Wm. J. Smith
David McKenzies
Amos E. Smith
Frank K. Smith
Wm. J. Smith
David McKenzies

*Facsimile copy of a Report of the Commissioner of Indian Affairs
Transmitted to the Privy Council on the 10th July, 1908.*

On a Memorandum dated 20th July, 1908, from the
Superintendent General of Indian Affairs, stating that in
connection with the Treaty (No. 8) which was made in 1805
with the Indians of the portion of Ontario referred to
therein, some difficulty was experienced by the Treaty Com-
missioners at Lake Simcoe, which is situated partly in the
Province of Ontario and partly in the Province of Quebec,
which latter province had made no arrangements to meet treaty
requirements.

The Minister further states that the Indians of
that locality are all practically one band and were unaware
that the provincial boundaries could in any way affect their
status. It was therefore difficult for them to understand,
when the Treaty was being negotiated, the apparent dis-
crimination against those of them whose hunting grounds
happened to be in the Province of Quebec, the latter Indians
naturally feeling that they were being unfairly dealt with
in not being allowed to share in the benefits which, under
the terms of the Treaty, were being accorded the Ontario
members of the community.

That in order to bring about a better feeling on
the part of the Quebec Indians, it was desirable to take
some special action, and the Commissioners, on their return
to Ottawa, recommended for submission to the British Indians

The Honorable
The Superintendent General of Indian Affairs.

the terms of settlement embodied in the accompanying agree-
ment, in accordance with which agreement it having been
duly signed by the parties thereto the Quebec Indians give
their adherence to the said Treaty No. 8 and relinquish to
the Crown all their right, title and privileges whatsoever
in the territory described in the Treaty and in the Province
of Quebec or elsewhere in the Dominion, they being admitted
in return for such relinquishment, into possession of a
share of the reserve set apart for the Ontario Indians by
the said Treaty, and to participation in the annuity pay-
ments mentioned in the agreement.

The Minister recommends that the agreement, which
is dated the 22nd day of June, 1908, and is submitted herewith
in duplicate, be accepted by Your Excellency in Council,
the original agreement to be returned to the Department of
Indian Affairs and the duplicate thereof to be kept of re-
cord in the Privy Council Office.

The Commission submit the same for approval.

*Facsimile copy of agreement
and letter of the
Commissioners*

W. A. G. Macdougall

*22nd June 1908
Superintendent
General*

Clerk of the Privy Council.

P.A. 1908



Verified copy of a Report of the Committee of the Privy Council, appointed by His Excellency the Governor General on the 22nd July, 1908.

In a Memorandum dated 2nd July, 1908, from the Superintendent General of Indian Affairs, stating that in connection with the Treaty (No. 8) which was made in 1868 with the Indians of the portion of Ontario referred to therein, some difficulty was experienced by the Treaty Commissioners at Lake Abitibi, which is situated partly in the Province of Ontario and partly in the Province of Quebec, which latter province had made no arrangements to meet treaty requirements.

The Minister further states that the Indians of that locality are all practically one band and were unaware that the provincial boundaries could in any way affect their status. It was therefore difficult for them to understand, when the Treaty was being negotiated, the apparent discrimination against those of them whose hunting grounds happened to be in the Province of Quebec, the latter Indians naturally feeling that they were being unfair-treated with in not being allowed to share in the benefits which, under the terms of the Treaty, were being accorded the Ontario members of the community.

That in order to bring about a better feeling on the part of the Quebec Indians, it was desirable to take some special action, and the Commissioners, on their return to Ottawa, recommended for submission to the Abitibi Indians

The Honourable

The Superintendent General of Indian Affairs.

351722

The terms of settlement embodied in the accompanying agreement, in accordance with which agreement it having been duly signed by the parties thereto- the Quebec Indians give their adherence to the said Treaty No. 8 and relinquish to the Crown all their right, title and privileges whatsoever in the territory described in the Treaty and in the Province of Quebec or elsewhere in the Dominion, they being admitted in return for such relinquishment, into possession of a share of the reserve set apart for the Ontario Indians by the said Treaty, and to participation in the annuity payments mentioned in the agreement.

The Minister recommends that the agreement, which is dated the 23rd day of June, 1908, and is submitted herewith in duplicate, be accepted by Your Excellency in Council; the original agreement to be returned to the Department of Indian Affairs and the duplicate thereof to be kept of record in the Privy Council Office.

The Committee submit the same for approval.

*Original copy of agreement
and other documents
sent to the
Governor General*

*W. L. Mackenzie
T. D. Hall*

Clerk of the Privy Council.

9/02/90

Released under the Access to Information Act
Communiqué en vertu de la Loi de l'accès à l'information

N.B. ① Copie de documents du dossier d'Ottawa. Nous n'avons pas copie de tout le dossier d'Ottawa.
② Le traité # 9 est fondamental

J. Lind

Copies For File 74/28-4-70 (T-1) and 74/20-7-4 (T-1)

INDIAN AFFAIRS

C0176



74/28-2-70

OFFICE OF DIRECTOR

File 74/28-2-7

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

19 SEP 22 AM 11:37

Doc: 11 C-11

OTTA

SEP 18

INDIAN AFFAIRS

Ottawa, September 17, 1951.

Deputy Minister

MEMORANDUM TO THE DEPUTY MINISTER

The Abitibi Band of Indians own Abitibi Indian Reserve No. 70 on the south shore of Lake Abitibi, District of Temiskaming, the Reserve being 19,200 acres in extent.

This same Band also own Trust Account No. 70, the balances in which were, as at March 31st last:- Capital, \$14,934.01 and Revenue, \$1,963.45.

Income to the Account is chiefly derived from a timber operation on the Reserve, the proceeds of which, last year, amounted to \$8,665.52. A similar amount, annually, may be expected for the next few years.

This group of Indians, although up to the present actually one Band, have for many years been separated into two groups - (1) the group known as the Dominion Abitibi live in Quebec and according to our most recent population figures consists of 187 Indians; (2) the group known as the Ontario Abitibi live in Ontario and comprises 53 souls. Furthermore, the Ontario group receive Annuities under Treaty Nine. (The larger Quebec group are not covered by Treaty Nine?)

Administration of the Band, particularly since they have acquired Trust funds, is rendered difficult by their segregation into two groups.

With all of the foregoing circumstances in mind, it was proposed to the Indians that the Band be broken into two new Bands along the lines of the division existing by reason of the location of the groups in separate Provinces and by the fact that one group was in Treaty 9 and the other not.

incorrect statement re: 1908 agreement

6

- 2 -

In August of this year the respective groups adopted identical resolutions by unanimous vote. These resolutions request that -

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi Trust Account No. 70 be divided on a per capita basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian Reserve No. 70 and that income from it be credited on a per capita basis to our new respective Trust Accounts;
4. That save for the above joint ownership and participation in income we, henceforth, be considered in all respects as two separate and distinct Bands of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resident in the Province of Ontario and
 - (b) The main group of us who are not in ~~any~~ Treaty 9 and reside in the Province of Quebec.

Concerning the meetings held, Indian Superintendent H. Lariviere reports as follows:-

" Ontario Group	6 Present	
	6 In Favour	
	10 Absent	"
" Quebec Group	27 Present	
	All In Favour	
	10 Absent	"

Since these resolutions ante-date the present Indian Act, only male adults were eligible to vote.

With regard to the absentees of both groups, Indian Superintendent H. Lariviere states that those absent take no interest whatever in the affairs of the Band.

3/

7

check rules
re quorum
necessary

9

- 3 -

Authentic lists of the Indians comprising each group are on record in the Band Membership Division of the Branch.

The division is recommended by Indian Superintendent H. Lariviere and I would be pleased to have the approval of the Minister for the establishment of two new Bands to be known as the Ontario Abitibi and Dominion Abitibi, respectively, in accordance with the provisions of Section 17, 1 (a) of the Indian Act, Chapter 29, Statutes of Canada, 1951.

Acting Director

Recommended

Deputy Minister

Approved

Minister

8

ABITIBI INDIAN RESERVE NO. 70

August 1st
....., 1951.

We, the undersigned, Chief and Councillors of
the ABITIBI Band of Indians owning the Reserve situated
at LAKE ABITIBI, in the ABITIBI Indian Agency, in the
Province of ONTARIO at a council summoned for the purpose,
according to the rules of the Band, and held on the said
Reserve, this *1st* day of *August*,
A.D. 1951, in the presence of the Indian Superintendent
for the said Reserve, representing thereat the Minister
of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi
Trust Account No. 70 be divided on a per capita
basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian
Reserve No. 70 and that income from it be credited
on a per capita basis to our new respective Trust
Accounts;
4. That save for the above joint ownership and parti-
cipation in income we, henceforth, be considered
in all respects as two separate and distinct Bands
of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resi-
dent in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty
and reside in the Province of Quebec.

Signed and sealed in the presence) *Tom Rankin* # 94, Chief.
or *H. L. Riviere*) *Noah Kistabish* # 65, H.M.
) *Thomas Shawa* # 102, H.M.
) *James McDougall* # 102, H.M.
) *James McDougall* # 102, H.M.

ABITIBI INDIAN RESERVE NO. 70

..... August 14th, 1951.

We, the undersigned, Chief and Councillors of
the ABITIBI Band of Indians owning the Reserve situated
at LAKE ABITIBI, in the ABITIBI Indian Agency, in the
Province of ONTARIO at a council summoned for the purpose,
according to the rules of the Band, and held on the said
Reserve, this day of
A.D. 1951, in the presence of the Indian Superintendent
for the said Reserve, representing thereat the Minister
of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi
Trust Account No. 70 be divided on a per capita
basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian
Reserve No. 70 and that income from it be credited
on a per capita basis to our new prospective Trust
Accounts;
4. That save for the above joint ownership and parti-
cipation in income we, henceforth, be considered
in all respects as two separate and distinct Bands
of Indians, namely:-
 - (a) Those of us who are Treaty Indians resi-
dent in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty
and reside in the Province of Quebec.

Signed and sealed in the presence
of
.....
Indian Superintendent

M. P. E. N. E. T. O. C.
Michel. Paquetouché # 19....., of
John Diamond-Abenawan # 86....., of
Alex Black # 78
James Diamond # 90
George Diamond # 88

Pages 402 to / à 403
are not relevant
sont non pertinentes

the beginning of this century, because of pressure from resource developers, the federal Government decided to obtain a surrender of "Indian Title" to the areas now known as northern Ontario and northern Quebec. In 1903, however, the Department of Indian Affairs dropped the idea of including "Quebec" Indian people in this proposed "James Bay Treaty" because:

Indian title in the Province of Quebec has never been recognized or surrendered as in the Province of Ontario, and it is not proposed to change this policy.¹

Unfortunately for the Abitibi Indian people, their lands were situated on both sides of the new boundary between Ontario and Quebec. When the Treaty Commissioners arrived at Abitibi Post in June of 1906 to discuss Treaty #9, the "Quebec" people were astonished to find that they were not to be included. This is how the Commissioners explained their actions:

Some difficulty was anticipated in negotiating the treaty at Abitibi owing to the peculiar position of the Indians who trade at that post. The post is situated a few miles within the province of Quebec, and the majority of the Indians who trade there belong to that province. It was natural for the Indians to conclude that, as it was the Dominion government and not the provincial government that was negotiating the treaty, no distinction would be made between those hunting in Ontario and those hunting in Quebec. The Commissioners had, however, to state that they had no authority to treat with the Quebec Indians, and that the conference in regard to the treaty could only be held with those whose hunting grounds are in the province of Ontario. The Quebec Indians were, however, given to understand that a conference would be held with them later, and that upon signifying where they desired to have a reserve set apart for them, the government would undertake to secure, if possible, the land required by them at the place designated.²

On June 8th, 1906, the new Abitibi (Ontario) Band selected Louis McDougall as Chief. They chose a reserve on the south side of Lake Abitibi which, based on the Treaty formula of one square mile per family of five, would cover 30 square miles.³ This Reserve (#70) was later confirmed by Provincial Order in Council on Feb. 13, 1907.⁴

Those Abitibi people whose lands were in Quebec, chose Isha Nychenny as Chief, with John Kistashish and John George Quitchie as Councillors. They asked the Commissioners for a Reserve on Kump (Root) Lake, about one day's journey north of the Transcontinental Railway up

The Dominion government tried for two years, without success, to get Quebec to provide a Reserve for the Abitibi people.⁶ So, in the summer of 1908, the Department of Indian Affairs sent Samuel Stewart, one of the original Treaty 9 Commissioners, to Abitibi Lake to make the following proposition to the Indian people:

The Government would agree to recognize the Ontario and Quebec Abitibi Indians as one Band, and would pay the latter annuity money, beginning with the year 1903, it being understood that no claim would be recognized for back pay by the Quebec Indians. The Ontario Indians would be required to accept the Quebec Indians as part of their band, and to allow them an equal share in the reserve set apart on Abitibi Lake.

The Quebec portion of the band would on their part agree to come under the terms of the treaty known as Treaty No. 9, and to carry out and fulfill all its conditions and stipulations. They would also agree to waive all claims to the allotment of a reserve in the Province of Quebec, or in any other part of the Dominion of Canada.⁷

Not all the Abitibi people were in favour of the proposed agreement. One "Quebec" Indian warned that it might lead to problems in the future:

He feared that, although the Ontario Indians were now prepared to admit the Quebec Indians to a share in the reserve, the time might come when they would repent of this action. The Ontario Indians protested strongly against this view being advanced, as they said they were all of one mind in desiring that their brethren be admitted to all the benefits of the treaty, including a share in the reserve.⁸ //

On June 22, 1908, a formal vote was taken, and both groups of Abitibi people accepted the terms of the agreement. This agreement was formally confirmed by the Federal government on July 22, 1908.⁹ A copy of this document is attached to this Memo.

The Agreement of 1908 may have solved a touchy problem for the Department of Indian Affairs, but it has created new problems for the Abitibi people on both sides of the border. Although the admission of the "Quebec" people to Treaty #9 tripled the size of the Abitibi Band, the Reserve was not made larger to compensate for this additional population--its area remained 30 square miles. Over the years, the Abitibi (Ontario) people have had very little say in the management of the Reserve. At the moment, they are outnumbered 4 to 1 by the Abitibi (Dominion) people--this means that they only receive about a fifth of the timber revenue.

On a Memorandum dated 9th July, 1908, from the Superintendent General of Indian Affairs, stating that in connection with the Treaty (No.9) which was made in 1905 with the Indians of the portion of Ontario referred to therein, some difficulty was experienced by the Treaty Commissioners at Lake Abitibi, which is situated partly in the Province of Ontario and partly in the Province of Quebec, which latter province had made no arrangements to meet treaty requirements.

The Minister further states that the Indians of that locality are all practically one band and were unaware that the provincial boundaries could in any way affect their status. It was therefore difficult for them to understand, when the Treaty was being negotiated, the apparent discrimination against those of them whose hunting grounds happened to be in the Province of Quebec, the latter Indians naturally feeling that they were being unfairly dealt with in not being allowed to share in the benefits which, under the terms of the Treaty, were being accorded the Ontario members of the community.

That in order to bring about a better feeling on the part of the Quebec Indians, it was desirable to take some special action, and the Commissioners, on their return to Ottawa, recommended for submission to the Abitibi Indians the terms of settlement embodied in the accompanying agreement, in accordance with which agreement- it having been duly signed by the parties thereto-the Quebec Indians give their adherence to the said Treaty No. 9 and relinquish to the Crown all their right, title and privileges whatsoever in the territory described in the Treaty and in the Province of Quebec or elsewhere in the Dominion, they being admitted

*Interior 22 July 08
To Auditor General 27 Sept "*

admitted, in return for such relinquishment, into possession of a share of the reserve set apart for the Ontario Indians by the said Treaty, and to participation in the annuity payments mentioned in the agreement.

The Minister recommends that the agreement, which is dated the 22nd day of June, 1908, and is submitted herewith in duplicate, be accepted by Your Excellency in Council, the original agreement to be returned to the Department of Indian Affairs and the duplicate thereof to be kept of record in the Privy Council Office.

The Committee submit the same for approval.

W. J. A. Laurier
Approved
Guy
July 22/08

As for the Abitibi-Dominion Band, they gave up, in 1908, any rights they might have had in the Province of Quebec. This means, for example, that they can only exercise the hunting rights guaranteed by Treaty #9 inside the Province of Ontario--a fact which is not of much use to them at Amos, Quebec. Had they not signed that Agreement, they would have had an excellent case for compensation along the lines of the recent Settlement with the James Bay Cree.



Capitula

330016

Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

THIS AGREEMENT made in duplicate and entered into this *twenty*
second day of *June* one thousand nine hundred and eight
in the presence of Samuel Stewart, Esquire, one of His Majesty's
Commissioners who negotiated Treaty No. 9, representing the Depart-
ment of Indian Affairs of the Dominion of Canada, between the owners
of the Abitibi Indian Reserve in the Province of Ontario, Dominion
of Canada, as represented by their Chief, Councillors and principal
men; hereinafter called the Parties of the First Part: and the
Abitibi Band of the Province of Quebec and Dominion of Canada, as
represented by their Chief, Councillors and principal men, herein-
after called the parties of the Second Part.

WITNESSETH that the parties of the First Part for themselves
and their descendants agree to admit the parties of the Second Part
and their descendants into their Band, and allow them as members
thereof to have, hold and possess forever an undivided interest in
all land and other privileges now possessed and enjoyed or which may
at any time hereafter be possessed and enjoyed by the said Parties
of the First Part.

WITNESSETH also, that the parties of the Second Part having
had communication of the Treaty made with the Abitibi Indians and
signed on the 7th day of June 1906, known as Treaty No. 9, hereby in
consideration of the provisions of the said Treaty being extended to
them (it being understood and agreed that the said provisions shall
not be retroactive) transfer, surrender and relinquish to His Majesty
the King, his heirs and successors, to and for the use of the Govern-
ment of Canada, all their right, title and privileges whatsoever,
which they have or enjoy in the territory described in the said
Treaty, and every part thereof, to have and to hold to the use of

2.

Samuel Lamb
Geo Drever
D. G. Bain & Co. S.
David McKenry

(6) *Crucis peris*
11' A A A r t c 4 70
° A 1 4

John ^{hus} & ^{may} Richard
John ^{hus} & ^{may} George Catechet

Bates pictures
at the M. P. J. S.
Pierre & Grosval-
lons ^{Mary}
Simon & Schuman

ABITIBI INDIAN RESERVE NO. 70

August 1st
....., 1951.

We, the undersigned, Chief and Councillors of
the ABITIBI Band of Indians owning the Reserve situated
at LAKE ABITIBI, in the ABITIBI Indian Agency, in the
Province of ONTARIO at a council summoned for the purpose,
according to the rules of the Band, and held on the said
Reserve, this *1st* day of *August*,
A.D. 1951, in the presence of the Indian Superintendent
for the said Reserve, representing thereat the Minister
of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi
Trust Account No. 70 be divided on a per capita
basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian
Reserve No. 70 and that income from it be credited
on a per capita basis to our new respective Trust
Accounts;
4. That save for the above joint ownership and parti-
cipation in income we, henceforth, be considered
in all respects as two separate and distinct Bands
of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resi-
dent in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty
and reside in the Province of Quebec.

Signed and sealed in the presence
of *H. L. Riviere*
[Signature]
Indian Superintendent

Tom Rankin # 94
Tom Rankin....., Chief.
Wash Kistobish # 63
Wash Kistobish..... H.M.
Thomas Shawa..... H.M.
J. B. Macpherson # 102
J. B. Macpherson..... H.M.
James McDougall # 108
James McDougall..... H.M.

August 14, 1992

We, the undersigned, Chief and Counsellors of the ABITIBI Band of Indians owning the Reserve situated on LAKE ABITIBI, in the ABITIBI Indian Agency, in the Province of QUEBEC at a Council convened for the purpose, according to the rules of the Band, and held on the said Reserve, this day of August, A.D. 1951, in the presence of the Indian Superintendent for the said Reserve, representing before the Minister of Citizenship and Immigration for the needs of Canada,

is hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that it be

1. Our said Abitibi band to divided into two bands;
2. That the northern band to our credit in Abitibi Trust Account No. 70 be divided as a new credit basis between our two new bands;
3. That we retain joint ^{and several} ownership of Abitibi Indian Reserve No. 70 and that income from it be split as a new credit basis to our new separate Trust Accounts;
4. That save for the above joint ownership and participation in income No. 70, henceforth, be considered in all respects as two separate and distinct bands of Indians, namely:-
 - (a) Those of us who are Treaty "Line Indians" residing in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty and reside in the Province of Quebec.

Witnessed and sealed in his presence
of H. L. Fatiere
[Signature]
In the Department

MILPE NETOC

Diamond Footcrops of 19....., and
CZAA CA...
Total Diamond Abandonment of 60.... II. M.
A.A.' AA II
Diamonds of 70....., II. I.
Diamonds of 80....., II. I.
Diamonds of 90....., II. I.
Diamonds of 100....., II. I.

**Pages 413 to / à 414
are not relevant
sont non pertinentes**

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

1951 SEP 22 AM 11:37

INDIAN AFFAIRS

Ottawa, September 17, 1951.

Deputy Minister's Office

MEMORANDUM TO THE DEPUTY MINISTER.

The Abitibi Band of Indians own Abitibi Indian Reserve No. 70 on the south shore of Lake Abitibi, District of Temiskaming, the Reserve being 19,200 acres in extent.

This same Band also own Trust Account No. 70, the balances in which were, as at March 31st last:- Capital, \$14,934.01 and Revenue, \$1,963.45.

Income to the Account is chiefly derived from a timber operation on the Reserve, the proceeds of which, last year, amounted to \$8,665.52. A similar amount, annually, may be expected for the next few years.

This group of Indians, although up to the present actually one Band, have for many years been separated into two groups - (1) the group known as the Dominion Abitibi live in Quebec and according to our most recent population figures consists of 187 Indians; (2) the group known as the Ontario Abitibi live in Ontario and comprises 53 souls. Furthermore, the Ontario group receive Annuities under Treaty Nine. The larger Quebec group are not covered by ~~any~~ Treaty.

Administration of the Band, particularly since they have acquired Trust funds, is rendered difficult by their segregation into two groups.

With all of the foregoing circumstances in mind, it was proposed to the Indians that the Band be broken into two new Bands along the lines of the division existing by reason of the location of the groups in separate Provinces and by the fact that one group was in Treaty and the other not.

- 2 -

In August of this year the respective groups adopted identical resolutions by unanimous vote. These resolutions request that -

- " 1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi Trust Account No. 70 be divided on a per capita basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian Reserve No. 70 and that income from it be credited on a per capita basis to our new respective Trust Accounts;
4. That save for the above joint ownership and participation in income we, henceforth, be considered in all respects as two separate and distinct Bands of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resident in the Province of Ontario and
 - (b) The main group of us who are not in ~~any~~ Treaty 9 and reside in the Province of Quebec.

Concerning the meetings held, Indian Superintendent E. Lariviere reports as follows:-

" Ontario Group	6 Present
	6 In Favour
	10 Absent
" Quebec Group	27 Present
	All In Favour
	18 Absent

Since these resolutions ante-date the present Indian Act, only male adults were eligible to vote.

With regard to the absentees of both groups, Indian Superintendent E. Lariviere states that those absent take no interest whatever in the affairs of the Band.

3/

- 3 -

Authentic lists of the Indians comprising each group are on record in the Band Membership Division of the Branch.

The division is recommended by Indian Superintendent H. Lariviere and I would be pleased to have the approval of the Minister for the establishment of two new Bands to be known as the Ontario Abitibi and Dominion Abitibi, respectively, in accordance with the provisions of Section 17, 1 (a) of the Indian Act, Chapter 29, Statutes of Canada, 1951.

[Signature]
Acting Director

Recommended

[Signature]
.....
Deputy Minister

Approved

[Signature]
.....
Minister

Page 418
is not relevant
est non pertinente

.....August 14th....., 1951.

We, the undersigned, Chief and Councillors of
the ABITIBI Band of Indians owning the Reserve situated
at LAKE ABITIBI, in the ABITIBI Indian Agency, in the
Province of ONTARIO at a council summoned for the purpose,
according to the rules of the Band, and held on the said
Reserve, this day of
A.D. 1951, in the presence of the Indian Superintendent
for the said Reserve, representing thereat the Minister
of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi
Trust Account No. 70 be divided on a per capita
basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian
Reserve No. 70 and that income from it be credited
on a per capita basis to our new respective Trust
Accounts;
4. That save for the above joint ownership and parti-
cipation in income we, henceforth, be considered
in all respects as two separate and distinct Bands
of Indians, namely:-
 - (a) Those of us who are Treaty Indians resi-
dent in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty
and reside in the Province of Quebec.

Signed and sealed in the presence
of
.....
Indian Superintendent

M. PE NE TOC
Michel Fautouche # 19....., Chief.
John Diamond Abenawan # 88.. H.M.
Alex Black # 78 H.M.
James Diamond # 90 H.M.
George Diamond # 85 H.M.

August 1st
....., 1951.

We, the undersigned, Chief and Councillors of
the ABITIBI Band of Indians owning the Reserve situated
at LAKE ABITIBI, in the ABITIBI Indian Agency, in the
Province of ONTARIO at a council summoned for the purpose,
according to the rules of the Band, and held on the said
Reserve, this day of August,
A.D. 1951, in the presence of the Indian Superintendent
for the said Reserve, representing thereat the Minister
of Citizenship and Immigration for the Dominion of Canada;

Do hereby for ourselves, and on behalf of the
Indian owners of the said Reserve, request that :-

1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi
Trust Account No. 70 be divided on a per capita
basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian
Reserve No. 70 and that income from it be credited
on a per capita basis to our new respective Trust
Accounts;
4. That save for the above joint ownership and parti-
cipation in income we, henceforth, be considered
in all respects as two separate and distinct Bands
of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resi-
dent in the Province of Ontario and
 - (b) The main group of us who are not in any Treaty
and reside in the Province of Quebec.

Signed and sealed in the presence
of H. L. RIVIERE.....
Indian Superintendent

Tom Rankin # 94
....., Chief.
Noah Kistabish # 65
..... H.M.
Thomas Shawa # H.M.
J. B. Mapeache # 104 H.M.
James McDougall Sr. # 102 H.M.

Pages 421 to / à 427
are not relevant
sont non pertinentes

Copies For File 74/28-4-70 (T-1) and 74/20-7-4 (T-1)

INDIAN AFFAIRS
B-74

00176



7-28-2-70

OFFICE OF THE
DIRECTOR

File 74/28-2-70 (T-1)

Dep. of Citizenship & Immigration
OTTAWA

SEP 18 1951

Deputy Minister's Office

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
1951 SEP 22 AM 11:37

Ottawa, September 17, 1951.

INDIAN AFFAIRS

MEMORANDUM TO THE DEPUTY MINISTER

The Abitibi Band of Indians own Abitibi Indian Reserve No. 70 on the south shore of Lake Abitibi, District of Temiskaming, the Reserve being 19,200 acres in extent.

This same Band also own Trust Account No. 70, the balances in which were, as at March 31st last:- Capital, \$14,934.01 and Revenue, \$1,963.45.

Income to the Account is chiefly derived from a timber operation on the Reserve, the proceeds of which, last year, amounted to \$8,665.52. A similar amount, annually, may be expected for the next few years.

This group of Indians, although up to the present actually one Band, have for many years been separated into two groups - (1) the group known as the Dominion Abitibi live in Quebec and according to our most recent population figures consists of 187 Indians; (2) the group known as the Ontario Abitibi live in Ontario and comprises 53 souls. Furthermore, the Ontario group receive Annuities under Treaty Nine. The larger Quebec group are not covered by ~~any~~ Treaty?

Administration of the Band, particularly since they have acquired Trust funds, is rendered difficult by their segregation into two groups.

With all of the foregoing circumstances in mind, it was proposed to the Indians that the Band be broken into two new Bands along the lines of the division existing by reason of the location of the groups in separate Provinces and by the fact that one group was in Treaty? and the other not.



- 2 -

In August of this year the respective groups adopted identical resolutions by unanimous vote. These resolutions request that -

- " 1. Our said Abitibi Band be divided into two Bands;
2. That the monies lying to our credit in Abitibi Trust Account No. 70 be divided on a per capita basis between our two new Bands;
3. That we retain joint ownership of Abitibi Indian Reserve No. 70 and that income from it be credited on a per capita basis to our new respective Trust Accounts;
4. That save for the above joint ownership and participation in income we, henceforth, be considered in all respects as two separate and distinct Bands of Indians, namely:-
 - (a) Those of us who are Treaty Nine Indians resident in the Province of Ontario and
 - (b) The main group of us who are not in ~~any~~ Treaty? and reside in the Province of Quebec.

Concerning the meetings held, Indian Superintendent H. Lariviere reports as follows:-

" Ontario Group	6 Present	
	6 In Favour	
	10 Absent	"
" Quebec Group	27 Present	
	All In Favour	
	18 Absent	"

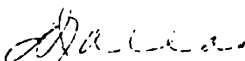
Since these resolutions ante-date the present Indian Act, only male adults were eligible to vote.

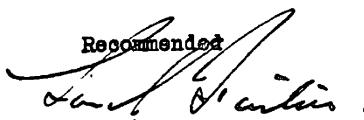
With regard to the absentees of both groups, Indian Superintendent H. Lariviere states that those absent take no interest whatever in the affairs of the Band.

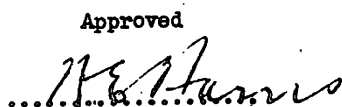
- 3 -

Authentic lists of the Indians comprising each group are on record in the Band Membership Division of the Branch.

The division is recommended by Indian Superintendent H. Lariviere and I would be pleased to have the approval of the Minister for the establishment of two new Bands to be known as the Ontario Abitibi and Dominion Abitibi, respectively, in accordance with the provisions of Section 17, 1 (a) of the Indian Act, Chapter 29, Statutes of Canada, 1951.


Acting Director

Recommended

.....
Deputy Minister

Approved

.....
Minister

Page 431
is not relevant
est non pertinente



BAND COUNCIL RESOLUTION

Chronological No.

2

Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

H.Q. Reference

371/3-6-4; 371/28-7-

NOTE: The words "From our Band Funds" must appear in all resolutions requesting expenditures from Band Funds.

COUNCIL OF THE	<u>Abitibi Ontario</u>	BAND
AGENCY	<u>Abitibi District</u>	
PROVINCE	<u>Quebec</u>	
PLACE	<u>Cochrane, Ontario</u>	
DATE	<u>2nd</u> <u>FEBRUARY</u> AD 19 <u>72</u>	
	<small>DAY MONTH YEAR</small>	

FOR HEADQUARTERS USE ONLY

DO HEREBY RESOLVE:

That the Capital Account in the amount of \$ 10,614.24
and that the Revenue Account in the amount of \$ 14,123.
in the name of the Abitibi Band be transferred on a
per capita basis to the accounts of the Abitibi
Ontario and Abitibi Dominion Bands.

Total Capital and Revenue Accounts = \$ 24,737.38

Total Band membership (Dec. 31/71)

1) Abitibi Dominion = 336

2) Abitibi Ontario = 58

TOTAL

394 (Per Capita \$ 62.78)

Distribution to:

1) Abitibi Dominion = \$ 21,095.76

2) Abitibi Ontario = 3,641.62

\$ 24,737.38

TOTAL --

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

(Councillor)

FOR HEADQUARTERS USE ONLY

1. TRUST ACCT 371-11	3. CURRENT BALANCES A. Capital 10,614.24	B. Revenue 14,123.14	2. Expenditure 5,415.12	4. Authority Indian Act Sec.	5. Source of Funds <input checked="" type="checkbox"/> Capital <input type="checkbox"/> R.
6. Recommended 3/12/72	7. Approved JUN 13 1972		8. Date 3/4/72		
Authorized Officer [Signature]		Authorized Officer [Signature]			

Page 433
is not relevant
est non pertinente

May 3, 1973

MAY 4 8 53 PM '73

Regional Director,
Ontario Region,
Toronto, Ontario.

Your file Votre référence

Our file Notre référence 411/1-1 (S)

Abitibi Ontario Band

In reply to your letter of March 28, the following is the information requested:

- (a) We have met twice with the Abitibi Band, on the 11th of October, 1972 and on the 14th February 1973. The first meeting was attended by the Chiefs and Councils from Abitibi Dominion and Abitibi Ontario. The District Supervisor from Val D'Or also attended. The purpose of this meeting was to decide on the transfer of administration from the Val D'Or District to the Sudbury District for members of the Abitibi Ontario Band. It was decided at this meeting that all administrative matters would be transferred to Sudbury with the exception of land matters. The entire band decided that the land should remain in joint ownership and that revenue produced from the land would be shared on a per capita basis.

The second meeting was with the Chief, Council and members of the Ontario Band and was for the purpose of planning the future. There were two decisions taken by the band members at that time. First they decided that at the conclusion of the concurrent school year all the children would be enrolled in schools in the Cochrane area rather than return to the residential school at Amos. Second the band members wished to settle somewhere in the Cochrane area in a properly organized community. With this in mind they requested the Department to negotiate with the Ministry of Natural Resources for a suitable piece of land on which a reserve community could be established.

.....2

May 3, 1973

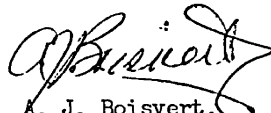
411/1-1 (S)

- (b) There are approximately 80 members in the Ontario Band. They have an elected Chief and 2 Councillors. The majority of the band members live in the area of Lowbush in the Cochrane area. Communication and Transportation between Cochrane and Lowbush is very poor.
- (c) Anticipated expenditure for the current fiscal year will be principally in the area of education although no special provisions were made in our budget. It is expected that we will be able to meet the cost from current year funds. Some preliminary planning has been made with respect to the cost of establishing an Indian Community for this group of people. The band was informed at the time of the last meeting that it would not be possible to begin construction earlier than the 1974 fiscal year.
- (d) The principle roll of the District and Regional program managers with this band will be in assisting them to become established in a new community and prepare them to carry on band business.
- (e) The band participated in the organization of the Grand Council of Chiefs of Treaty 9 at the North Bay meeting. They were represented by Jacob Ruperthouse-Diamond who is a resident of Moosonee at the present time.

The band is not very well organized at the present time and it is difficult to communicate with them. The main contact is Mr. George Rhodes, Northern Affairs Officer in Cochrane, who has been very helpful in organizing the meetings. Our only method of communicating with band members is through Mr. Rhodes.

There are approximately 13 children of school age who are in attendance in schools at Amos. The membership records of the band have been neglected and will require considerable work to bring them up to date.

*Copy on file
ref.*


A. J. Boisvert,
District Supervisor,
Sudbury District.

P.S. The Chief's name is James Ruperthouse-Diamond. The Councillors are David Ruperthouse-Diamond and William Singer.

HISTORICAL NOTES ON THE ABITIBI DOMINION BAND

Released under the Access
to Information Act
Communiqué en vertu de la
Loi sur l'accès à
l'information

The Indians residing in the Province of Quebec have not entered into land cession Treaties covering any specific portion of the province. Historically, land cession treaties invariably preceded settlement, e.g., in the 1870's numbered treaties 1-7 were signed covering the "fertile belt" region of western Canada. In Ontario, extensions to the northern boundary paralleled those in Quebec; the Indian interest being extinguished through Treaty 9, immediately preceding or anticipating development. No similar action was taken in the territory of northern Quebec, although the Abitibi Dominion Band (though residing in Quebec) were party to Treaty 9 in Ontario.

The first reference found regarding this Band is in the House of Commons Debates of 19th May 1897 when Mr. Klock M.P. asked the Minister of Interior:

- "1. Are the Indians who live in the Abitibi and Grand Lac districts in the province of Quebec, treaty Indians?
2. Have their claims been extinguished?
6. Does the Government propose to take any, and what means to relieve them?"

The Minister of Interior answered

- "1. They are not treaty Indians.
2. There has never been any formal extinguishment of territorial claims in the province of Quebec.
6. The Department of Indian Affairs has been in communication with the provincial authorities with a view to obtaining some exceptional treatment for these Indians under the game laws. Up to the present, however, no concession has been made in the matter by the provincial authorities...The Government does not propose taking any special measures for the relief of these Indians, but will be prepared, in the event of the occasion arising, to extend some assistance to them out of the ordinary appropriation for the relief of Indians in the province of Quebec." 1

By 1901, the Department of Indian Affairs was involved in the preliminary stages of preparing a Treaty in the James Bay area. It appeared at that time that areas both Ontario and Quebec, would be covered by the proposed treaty. On the 24th June 1901, Reginald Rimmer, the Department's Law Clerk, gave his opinion on the proposed treaties. He stated that, in the event of a treaty, both provinces should be made parties thereto; this proposal was in accordance with Art. 6 of The Dominion and Ontario Agreement

1. House of Commons Debates, 19 May 1897, p.2568-2569.

-2-

of 1894 which mentioned that Ontario would be a party to any future land cession treaties. But he suggested that some definite determination should be reached as to what should be the attitude of the Department upon questions still in dispute between the Dominion and the Ontario Government before entering into the proposed treaty.²

James A. Smart, Deputy Minister of Indian Affairs, gave his view on Rimmer's Paper on the 26th June 1901:

"That both Ontario and Quebec must be parties to the Treaty at least that any payments in connection with the Treaty should be made by the Provinces. Until due arrangement has been made nothing is to be done." ³

On the 22 February 1902, J.A.M. McKenna submitted another report to the Minister of Interior (This report was subsequently approved by the Minister). McKenna called attention to the fact that the Indians in their petition (12 Dec. 1901) called themselves resident of "Ontario and Keewatin", whereas the map showed the district to be in Ontario and Quebec. He recommended that the matter be allowed to stand until the settlement of Half-breed claims would be completed, and even then the Treaty be confined to the district located in Ontario and Quebec and made in the form of an adhesion to the Robinson Huron Treaty with any desirable alterations in terms. He also recommended that the Provinces be not made parties to the Treaty, but that an understanding be reached with Ontario similar to the Robinson Huron Treaty settlement. ⁴

On the 20th August 1902 Is. Evain (a Priest in the James Bay area) reported to the Department the result of an election at Abitibi Post:

"Bazile McDougall was elected chief, and four councillors as assistants, whose names are as follows: Louis McDougall, W. Watapé, Andrew McDougall and Antoine Chichichi". He added that: "Up to the present time they have been able to live on the results of the chase, but perhaps in the future before long they will be compelled to think of cultivating the soil, so they hope that they will get a reserve when the right time comes". ⁵

J.D. McLean replying to the letter of Father Evain stated:

2. Proposed New Treaty in Ontario and Quebec, by Reginald Rimmer, 24 June 1901, RG 10 RED Vol. 3033, File 235225.
3. Notes accompanying Rimmer's letter, 26 June 1901, RG 10 RED Vol. 3033, File 235225.
4. Synopsis - Proposed Treaty with the Indians of District North of Robinson Superior and Huron Treaties, initiated by the Deputy Supt. General, 11 February 1908, RG 10 RED A0429157_5-000437 235225.
5. Is. Evain to Supt. General of Indian Affairs, 20 August 1902, RG 10 RED

PRELIMINARY REPORT
FOR DISCUSSION ONLY

"I beg to say that, as the Department does not see any necessity for confirming the election held by the Abitibi Indians, and as it is not disposed at present to recognize them officially as a band, it is unable to comply with their request in this matter." 6

In 1903, the Department of Indian Affairs changed its view on the proposed treaty in the province of Quebec. This new approach was evident in an unsigned memorandum addressed to Mr. Sifton:

"So far as the Indians of Quebec are concerned, it is suggested that no treaty should be made with them or that any Quebec Indians living temporarily in Ontario should be included in the Ontario treaty, but we should endeavour to obtain an understanding from the Province of Quebec that as claims are made by the outlying tribes not included in those provided for by 14-15 Vic., Cap. 106, whereby 231,000 acres were set aside for the Indians, the Province should be willing to set apart at proper times suitable reserves. The Indian title in the Province of Quebec has never been recognized or surrendered as in the Province of Ontario, and, I presume that it is not proposed to change the policy in that regard.

While it is considered that neither Ontario nor Quebec should be parties to the Treaty, yet an understanding or agreement will be necessary from each with reference to the matters above referred to..." 7

The first signatories to Treaty 9 in 1905 did not include the Abitibi Band.

The Treaty Commissioners reported the reasons for the delay as follows:

"On the morning of August 29 we reached Lake Abitibi... until we can report the successful making of the treaty, which we hope to accomplish next year ... owing to the fact of the Indians belonging to the two provinces, Ontario and Quebec, it was necessary to draw a fine distinction, and where the explanations had to be most carefully made in order to avoid future misunderstanding and dissatisfaction". 8

The following year the Commissioners returned to obtain the adhesion of the Abitibi Band:

"On June 7, the looked-for Indians having arrived, a meeting was called for the afternoon of that day. Some difficulty was anticipated in negotiating the treaty at Abitibi owing to the peculiar position of the Indians who trade at that post. The post is situated a few miles within the province of Quebec, and the majority of the Indians who trade there belong to that province. It was natural for the Indians to conclude that, as it was the Dominion government and not the provincial government that was negotiating the treaty, no distinction would be made between those hunting in Ontario and those hunting in Quebec. The commissioners had, however, to state that they had no authority to treat with the Quebec

6. J.D. McLean to Rev. Is. Evain, 17 September 1902, RG 10 RED Vol. 2787, File 156468-35.

7. Memorandum to Mr. Sifton, 11 August 1903, RG 10 RED Vol. 3033, File 235225.

8. D.C. Scott - S. Stewart - D.G. MacMartin to Supt. General of Indian Affairs, 6 November 1905, in Treaty 9 A0429157_6-000438 1964, p.10.

PRELIMINARY REPORT
FOR DISCUSSION ONLY

Indians, and that the conference in regard to the treaty could only be held with those whose hunting grounds are in the province of Ontario. The Quebec Indians were, however, given to understand that a conference would be held with them later, and that upon their signifying where they desired to have a reserve set apart for them, the government would undertake to secure, if possible, the land required by them at the place designated.

The policy of the province of Ontario has differed very widely from that of Quebec in the matter of the lands occupied by the Indians.

In Ontario, formerly Upper Canada, the rule laid down by the British government from the earliest occupancy of the country has been followed, which recognizes the title of the Indians to the lands occupied by them as their hunting grounds, and their right to compensation for such portions as have from time to time been surrendered by them. In addition to an annual payment in perpetuity, care has also been taken to set apart reservations for the exclusive use of the Indians, of sufficient extent to meet their present and future requirements.

Quebec, formerly Lower Canada, on the other hand, has followed the French policy, which did not admit the claims of the Indians to the lands in the province, but they were held to be the property of the Crown by right of discovery and conquest. Surrenders have not, therefore, been taken from the Indians by the Crown of the lands occupied by them.

The reserves occupied by the Indians within the province of Quebec are those granted by private individuals, or lands granted to religious corporations in trust for certain bands. In addition, land to the extent of 250,000 acres was set apart and appropriated in different parts of Lower Canada under 14 and 15 Vic., chap. 106, for the benefit of different tribes." 9

PRELIMINARY REPORT
FOR DISCUSSION ONLY

The following day an election of a chief and councillors was held, which resulted in Louis McDougall, Jr., being chosen as chief and Michel Penatouche and Andrew McDougall as councillors for the Ontario Bands. Subsequently,

"Payments of annuities were made with great care, in order that only those Indians whose hunting grounds are in Ontario should have their names placed on the list. The commissioners are satisfied that in the performance of this duty they were successful." 10

With regard to the Quebec Band living near Abitibi Lake, the Commissioners stated:

"The Quebec Band elected as Chief Isha Mychenny and as Headmen John Kishapish and John George Cuitche. In the afternoon a meeting was held with the whole Quebec Band. Mr. Stewart addressed them explaining the situation fully. Me. Geo. Dreaver interpreting. Afterwards the Chief and headmen came to the Commissioners' tent and discussed the question of a reserve. They wish land

9. D.C. Scott - S. Stewart - D.G. MacMartin to Supt. General of Indian Affairs, 5 October 1906, in Treaty 9 Booklet, Ottawa, 1964, p.13.
10. D.C. Scott - S. Stewart - D.G. MacMartin to Supt. General of Indian Affairs, 5 October 1906, in Treaty 9 Booklet, Ottawa, 1964, p.14.

-5-

about a day's journey north of the transcontinental up White Fish River on a lake called Stump Lake or Root Lake. They hope that the Priest will be able to bring up a Teacher for the summer months. The Commissioners promised to advise to that effect." 11

However, those members of Abitibi Band who were living in Quebec were not considered treaty Indians and did not receive annuity payments in 1906.

A provincial (Ontario) Order-in-Council, dated 13th February 1907, set aside 19,200 acres of lands for the use of Abitibi (Ontario) Band as reserve No.70.

During the summer of the same year, 124 Indians of this Band were paid \$496.00 as annuity payments. 12

On the 22nd June 1908, the Abitibi Ontario Band and the Abitibi Dominion Band signed an agreement in which the Abitibi Ontario Band

"agree to admit the parties of the Second Part (Abitibi Dominion) and their descendants into their band, and allow them as members thereof to have, hold and possess forever an undivided interest in all land and other privileges now possessed and enjoyed..." 13

This agreement also stated that the Abitibi Dominion Band

"having had communication of the Treaty made with the Abitibi Indians and signed on the 7th day of June 1906, known as Treaty No. 9, hereby in consideration of the provisions of the said Treaty being extended to them (it being understood and agreed that the said provisions shall not be retroactive) transfer, surrender and relinquish to His Majesty the King, his heirs and successors, to and for the use of the Government of Canada, all their right, title and privileges whatsoever, which they have or enjoy in the territory described in the said Treaty, and every part thereof, to have and to hold to the use of His Majesty the King, and his heirs and successors forever." 14

Finally both parties

"agree to accept the several benefits accorded by the Treaty aforesaid, payment of annuity at the rate of \$4.00 per capita (the said payment not to be retroactive) and an interest in land as before mentioned, waiving all claims to the allotment of a Reserve in the Province of Quebec or any other part of the Dominion of Canada. And the said Parties of the Second Part solemnly engage to abide by, carry out and fulfil all the stipulations, obligations and conditions contained in the said Treaty No.9 on the part of the Chiefs and Indians therein named to be observed and performed, and the said Parties of the Second agree in all things to conform to the articles

PRELIMINARY REPORT
FOR DISCUSSION ONLY

11. Treaty 9 Commissioners Diary, RG 10 RED Vol. 3033, File 235225.
12. Annuity Paylists of 1907.
13. O/C P.C. 1593, 22 July 1908, RG 2, 1.
14. Ibid.

of the said Treaty, as if they themselves had been originally contracting parties thereto and had attached their signatures to the said Treaty." 15

The Order-in-Council P.C. 1593, dated 22nd July 1908 confirmed this agreement and gave the reasons for the amalgamation:

"that locality are all practically one band and were unaware that the provincial boundaries could in any way affect their status. It was therefore difficult for them to understand, when the Treaty was being negotiated, the apparent discrimination against those of them whose hunting grounds happened to be in the Province of Quebec, the latter Indians naturally feeling that they were being unfairly dealt with in not being allowed to share in the benefits which, under the terms of the Treaty, were being accorded the Ontario members of the community.

That in order to bring about a better feeling on the part of the Quebec Indians, it was desirable to take some special action, and the Commissioners, on their return to Ottawa, recommended for submission to the Abitibi Indians the terms of settlement." 16

In July 1908, the Abitibi Dominion Band received for the first time annuity payments - 150 Indians paid \$600.00. 17

On the 1st December 1910, to offset mining claims on the reserve, provincial Order-in-Council (amended 12 April 1918) set aside in trust for the Abitibi Band, 39 acres of land.

From 1918 to 1942, documentation on these two bands is very sparse. However, it seems that neither band ever resided on the Abitibi Ontario reserve. Hugh.

R. Conn reporting on Indian Reserve No. 70 stated:

"The above reserve ... was set aside as a reserve for the Abitibi Indian Band in 1908 but has up to date never been used except by two Indians - John and Alex Black - who trap there during the winter months. H. Larivière ... proposes to set this band up on a new reserve north of Amos on the Harricanaw River." 18

Referring to the above request, Jude Thibault, Inspector of Indian Agencies, reported on 6 February 1942:

"The two Bands are not occupying the said Reserve, but have, so far, been living together during the summer months, on the Hudson's Bay Co.'s site ... When Fall arrives, the Ontario Abitibi Indians go to Low Bush, Ontario, while the Dominion Abitibi Band spend the winter months in the vicinity of La Sarre and Amos ...

15. Ibid.

16. Ibid.

17. Annuity Paylists, 1908.

18. Hugh R. Conn Report of Indian Reserve No. 70, 20 January 1942, File 371/30-3-70.

-7-

These Indians are all squatters and the suggestion is made to locate the three groups (Dominion Abitibi (129) - Ontario Abitibi (77) - Rupert House group (67), if at all possible, together on the Harricana River." 19

The question of a new reserve for the Abitibi Dominion Band was finally settled in 1958 when the Order-in-Council P.C. 1387 of 10th October set apart for the use and benefit of this band 129.39 acres of land as Amos Indian Reserve No. 1.

The latest report on the Abitibi Dominion Band, by W.C. Bethume in 1960 described the situation as follows:

"Today two separate Bands (Ontario Abitibi and Dominion Abitibi) lists are maintained and the groups are treated as two separate Bands regardless of the intent of this agreement. Insofar as Band ownership is concerned it would seem to me that both Bands had an undivided interest therein although I am not sure as to what the situation is on the ground." 20

In conclusion, it might be said that only one band residing in the Province of Quebec has ever signed a land cession treaty - that covering lands in the Province of Ontario. They did however surrender their interest, right, title and "Privileges whatsoever in the territory described in the Treaty and in the Province of Quebec or elsewhere in the Dominion." (The territorial boundaries of Treaty 9 did not extend beyond the eastern boundaries of the Province of Ontario.)

Treaties,
February 1973.

19. Jude Thibault to Dr. McGill, 6 February 1942, File 371/30-1.
20. W.C. Bethume to C.I. Fairholm, 5 April 1960, File 371/30-3-70.

BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE124
Date de l'adoption - Date d'adoption

371/34-3, 371/24-2-4

Les fonds de la Bande (Capital et Revenu) qui figurent dans le présent document sont les fonds de la Bande qui sont utilisés pour les dépenses de la Bande.

COUNCIL OF THE CONSEIL DE LA BANDE INDIENNE		Abitibi Dominion	Current Capital Balance Solde de capital	\$
Abitibi District			Committed - Engagé	\$
Quebec			Current Revenue Balance Solde de revenu	\$
Quebec			Committed - Engagé	\$
19		November	AD 19	74
DAY - JOUR		MONTH - MOIS	YEAR - ANNÉE	

RESOLVE:
PAR LES PRÉSENTES:

That, whereas a timber contract has been formally signed between Her Majesty the Queen on behalf of the Abitibi Band, Quebec, and the Abitibi Band, Ontario, and J.H. Monnick Incorporated, P.Q., for the cutting and sale of timber from the Abitibi Dominion Indian Band No. 70.

That, whereas the Abitibi Dominion Quebec Band's share of the timber dues accruing in this contract will represent approximately eighty percent of the funds paid by the contractor for timber dues under this contract.

That, whereas a sum of \$15,000 is being held by the District Office, Indian Affairs Northern Development, Val D'Or, P.Q., against satisfactory completion of the tract by J.H. Monnick Incorporated.

WE REQUEST that the Minister of Indian Affairs and Northern Development guarantee that we are requesting from the Banque Canadienne Nationale, A.D.S., Quebec, in an amount to exceed \$30,000, for housing construction on our reserve. We herewith authorize the Minister to apply all timber dues received by our band against the loan of \$30,000 if it is fully retired.

Quorum for this Band
Le quorum de la bande est

Attesté par
le

Chief Member
Président du Conseil

(Chief - Chef)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

(Councillor - Conseiller)

OTTAWA, Ontario K1A 0H4.

Our file 371/28-2-11

District Manager,
(Indian & Inuit Affairs),
Abitibi District, Que.

Attention: Ms. E. DesGagné

Division of Revenue - Abitibi IR #70



This will confirm the telephone conversation December 1,
Peacock/DesGagné concerning the division of income from
the joint ownership of Abitibi Indian Reserve No. 70 to
the separate bands of Abitibi Dominion and Abitibi Ontario.

Documentation located here to date shows that the income
from this reserve should be credited on a per capita basis.
Our records show that the recent past division of funds
resulting from the J. H. Normick timber operation has been
divided on the basis of 80% Abitibi Dominion and 20% Abitibi
Ontario, which apparently represented the per capita re-
lationship.

Attachments

- (1) Copy of Memorandum to Deputy Minister,
September 17, 1951, approved by the
Minister, regarding the division of the
Abitibi Band and the procedure to follow
related to income from the Abitibi Indian
Reserve No. 70.
- (2) Copy of B.C.R. #12 dated February 2, 1972,
related to the division of funds on a per
capita basis.
- (3) Copy of B.C.R. #124 dated November 19, 1974,
acknowledging that the timber dues re-
presents only approximately eighty percent
of the funds paid by the contractor.
- (4) Copy of letter from the District to Region
dated June 2, 1977, stating that based on
information on file the division of funds

is to be on the basis of 80% and
20%.

It would appear that because the per capita payment in the past approximated the eighty/twenty percent split, it is assumed that this is indeed the case. However, as indicated above, we can find no authorization for the division of funds to be made except on the basis of a per capita payment in accordance with the Memorandum to the Deputy Minister of September 17, 1951.

R. B. Kohls,
Director,
Membership & Statutory
Requirements Branch,
(Reserves and Trusts)

1/c

Pages 446 to / à 450
are not relevant
sont non pertinentes

A126042

APR 23 1987

Chief Linöbergh John Louttit
Wahgoshig Band
190 3rd Ave.
P.O. Box 1499
COCHRANE, Ontario
POL 1C0

Dear Chief Louttit:

Thank you for your letter dated March 2, 1987 regarding the
Wahgoshig Band's timber rights.

As you know, your band shares timber rights on the
Abitibi Dominion Reserve with the Abitibiwinni Band in the
Province of Quebec. For a number of years, the Quebec Region
has issued licenses for timber operations on the
Abitibi Dominion Reserve and consequently they have the
records of the revenues generated from the timber sales.

Your contact person for this matter will be Mr. Jacques Rivet,
Manager, Lands, Revenues and Trusts in the Quebec Region.
His address is:

Department of Indian and Northern Affairs
320 East St. Joseph Street
P.O. Box 3725, Saint-Roch
QUEBEC, Quebec
G1K 7Y2

I understand that your legal counsel will be supplying this
department with additional information and documentation in order
that the band's allegations may be properly addressed; this
information may be sent directly to Mr. Rivet in the Quebec Region
who will in turn answer your request.

Yours sincerely,

ORIGINAL SIGNED BY
ORIGINAL SIGNED PAR
BILL McKNIGHT
Bill McKnight

G. PILON/LR&T(Ops)994-9547

April 1, 1987

nb

c.c. G. Swan/LR&T(Ops)
Don Stead, Ont. Region
Howard Fanjoy, Sudbury Dist.
Jacques Rivet, Quebec Region

Ottawa Canada K1A 0H4

P.A./B-8240-2/01
SPECIFIC CLAIMS

(L)

5820-233

2316

MAY 13 1987

DEPUTY MINISTER

**Allegations by Chief Lindbergh Louttit
Wahgoshig (Abitibi No. 70) Band Regarding
Revenues on Disposition of Timber Resources**

Further to our conversation yesterday on the above noted topic, I found that the matter has been the subject of correspondence with the Minister (see attached copies of Chief Louttit's letter of March 2 and the Minister's response dated April 23) and that the matter is being handled through the Quebec Region.

Although the Abitibi Dominion Reserve is in Ontario, the band comes under the Quebec Region for the administration of timber rights. The timber issue is apparently related to the problem of resource revenue sharing with the Abitiwinini Band in Quebec and I understand that the designated officer in the Quebec Region, Jacques Rivet, is looking into that as well. It seems that there may be some sort of agreement on revenue sharing between the bands dating back to 1908.

I spoke to Frank Vieni yesterday afternoon and he has undertaken to have a full briefing on the issues prepared for you.

Original Signed by
J. R. GOUDIE
A signé l'original
J.R. Goudie
Director
Specific Claims Branch

Attachs.

c.c. F. Vieni
R.B. Kohls
G. Swan

GOUDIE/hr
HP/Louttit/page 2
May 13, 1987

P1559
Ref A11

WAHGOSHIG RESERVE
(ABITIBI #70)
190 3RD AVENUE, P.O. BOX 1499
COCHRANE, ONTARIO, P0L 1C0
705-272-3025

May 20, 1987

District Superintendent
Reserves & Trusts
Sudbury, Ontario

Re: Wahgoshig Band Trust Funds

Would you kindly provide our Band Council with a summary of all funds transferred from our Trust Fund to the Abitibiwinni Band Trust fund, since 1908.

Your usual kind cooperation is most appreciated.

Yours truly



Lindberg John Louttit
Chief
Wahgoshig Band (Abitibi #70)

INDIAN AFFAIRS
SUDBURY DISTRICT

MAY 25 1987

61984

Pages 454 to / à 455
are not relevant
sont non pertinentes

Mr. G. Swan
Director
Lands, Revenues and Trusts
(Operations)
Indian and Northern Affairs Canada
Ottawa, Ontario
K1A 0H4

Your file / Votre référence

Our file / Notre référence
5820-233 (1.1)

RE: Wahgoshig Band Timber
Abitibi Indian Reserve No. 70

Further to our telephone conversation of the May 22/87, I enclose herewith a copy of the 1908 Agreement (Abitibi 70 and Abitibi 55).

Mr. H. Fanjoy, of the Sudbury District, has raised several points that require clarification and perhaps in this instance they may be better dealt with by Headquarters and also Legal Services, Ottawa.

The points in question being:

- 1) Based on the 1908 agreement was Abitibi 70 deprived of their right to additional lands?
- 2) It would appear that Abitibi 55 (Quebec) is filing a land claim now--does or would Abitibi 70 (Wahgoshig) benefit also?
- 3) According to Mr. Fanjoy, the 1908 agreement states that the Abitibi 55 band (Quebec) shall not have a reserve in Quebec. It is my understanding that they do, and that they also have their own individual trust account.
- 4) Under the terms of the 1908 agreement 80% of all revenues generated on Abitibi 70 are credited to the Abitibi 55 band (Quebec).
- 5) Are any revenues generated on Abitibi 55 and if so, is Abitibi 70 eligible to receive a portion of same based on the 1908 agreement?
- 6) Distribution is based on an 80-20 split, should not a per capita distribution be in place?

Canada

-2-

- 7) Abitibi 70 (Wahgoshig), is in the negotiating stages re:
the development of cottage lot leasing and also the sale
of water.

These endeavors if implemented will generate a
substantial revenue.

Abitibi 70 (Wahgoshig) has expressed concern to Mr.
Fanjoy, however, about proceeding because of the 1908
Agreements apparent application.

Your review of the above and eventual response would be
appreciated.

D.D. Stead
Manager
Memberships, Estates and
Statutory Requirements
Lands, Revenues and Trusts
Ontario Region

25 St. Clair Avenue East
Toronto, Ontario
M4T 1M2

Encls.

Pages 458 to / à 459
are not relevant
sont non pertinentes



Energy, Mines and
Resources Canada

Énergie, Mines et
Ressources Canada

Earth Sciences
Room 901
25 St. Clair Ave. E.
Toronto, Ontario
M4T 1M2

Sciences de la Terre

188100

1987 JUN 30 A 10: 56

June 25, 1987

Your file Votre référence

5673-06172

Our file Notre référence

5206-A1

Item C.P. 1-80 Ont.

Mr. E.G. Morton
Director Lands, Revenues and Trust
Ontario Region
Indian and Northern Affairs Canada
5th floor
55 St. Clair Avenue East
Toronto, Ontario
M4T 2P8

Attention: Mr. Jim Wells

Subject: Provisional Plan of Abitibi Indian Reserve No. 70
Ontario (CLSR 67465).

Reference: Letter dated June 9, 1987 - Bailey-Hill

I have perused the documents which were used to compile this plan
for the above reserve and concur with the location of the boundaries
as shown.

Attached to this letter are copies of the following:

1. John H. Shaw's, O.L.S., report, included with his field
notes (FB473 CLSR).
2. Corresponding Plan T886.
3. Mr. Shaw's Survey Instructions, dated 1907.

It appears from the Survey Instructions (dated 1907) that the left
bank of the Kaguaquechewaig creek was intended to be part of the
reserve boundary and not the extension of the East rectilinear
boundary of the reserve to the shore of Lake Abitibi. These state
that the reserve is to be.... "of sufficient depth between the said
creek and Eastern boundaries of the Townships of Milligan McCool to
give an area of 30 square miles." They also state that ".... the
Lakeshore and the creek above mentioned are to be traversed."

On the original plan (T886 CLSR) the red border extends only up to the creek's left bank. His field notes corroborate this as well (FB 473 CLSR).

I believe that the compiled Plan is correct. We have not found any contrary evidence as to the location of this boundary.

Yours truly,



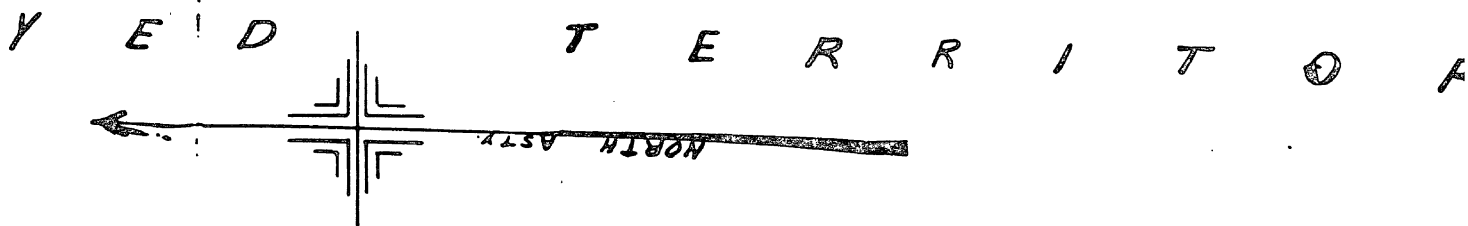
for J.L. Hill, O.L.S., C.L.S.
A/Regional Surveyor, Ontario
Legal Surveys Division

GCH : 1b



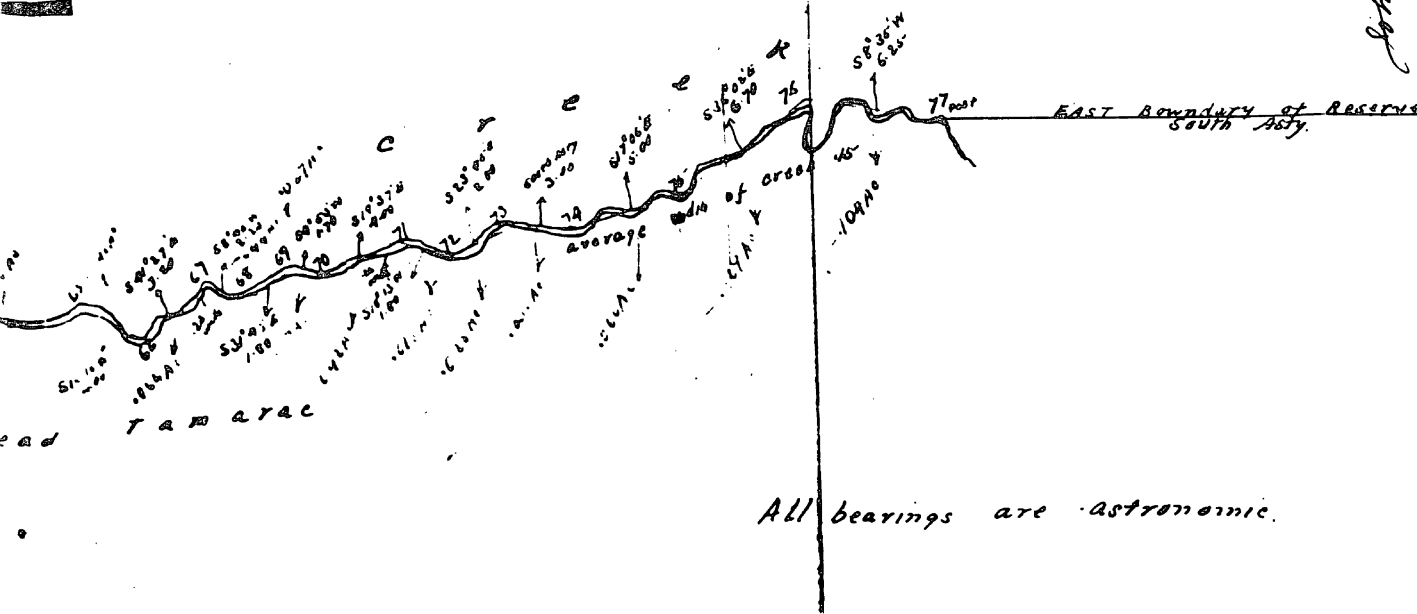
Field Notes of the travelers

the traverse to Inuvayukchechewaig Creek
Scale: - 500 = 1 inch.



R I T O R Y

*John H. Shaw
O.D.S.*



All bearings are astronomic.



DEX

A: Affaires indiennes et inuit, OTTAWA, (Ontario) Attention: Monsieur G.A. Poupore, Directeur, gestion foncière	DATE : Le 1er février 1979
	DOSSIER NO. : 371/30-1-1
	NOMBRE DE PAGE : 1
DE : BUREAU REGIONAL, QUEBEC	PAGE : 1 DE 1

MESSAGE :

OBJET: Avis de procuration -
Achat de terres - Amos #1

Suite à l'approbation en principe du Sous-ministre, monsieur R.D. Brown, pour l'achat d'un terrain de 92 acres à être ajouté à la réserve indienne d'Amos, monsieur Pierre Champagne, Représentant régional du Ministère de la Justice, vient de nous confirmer qu'il a terminé sa recherche de titres à l'égard du lot 25, rang 2, à Amos.

Veuillez nous faire parvenir un avis de procuration sous seing privé afin qu'un représentant du Ministère soit autorisé à signer le contrat d'achat.

Nous recommandons la nomination de monsieur Robert Michael Connelly, Directeur général, Région du Québec, comme représentant du Ministère dans cette affaire.

Directeur,
Administration des terres,

Yvon Gosselin.

YG/cia

c.c.: District d'Abitibi.

CONFIRMATION
TRANSMIS PAR TÉLÉCOPIEUR
LE: 2 février 1979
HEURE: 14/110
PAR: Dennis B.



Indian and
Northern Affairs

Affaires indiennes
et du Nord

OTTAWA, Ontario K1A 0H4
November 21, 1978.

Regional Director General,
(Indian and Inuit Affairs)
STE-FOY, Quebec.

Your file Votre référence

Our file Notre référence 411/30-20-70

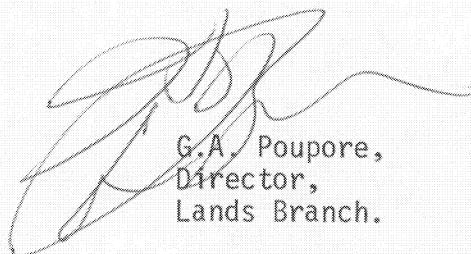
Attention: Gaëtan Pilon

Abitibi Indian Reserve No. 70

Further to the telecon (Fawkes/Pilon) of November 17, 1978 please
-- find enclosed copies of the following material:

Abstract for Abitibi #70 from Reserve General Register
Ontario Order-in-Council of February 13, 1907
O.C. P.C. 1908-1593
Agreement between Abitibi Indians of Quebec and Ontario,
June 22, 1908
O.C. P.C. 1907-2499

I trust you will find these documents useful.


G.A. Poupore,
Director,
Lands Branch.

AD
5.12.78
Encl.

REQU À LA SECTION DES TERRES

LE 29-11-78

PAR *cla*

Department of
Indian Affairs and
Northern Development



Ministère des
Affaires indiennes et
du Nord canadien

Amos

Quebec Regional Office,

375 Central Avenue
Val d'Or, P.P., February 19, 1971

Attention: Mr. V.J. Caissie,
Regional Superintendent of Economic Dev.

our file / notre dossier
your file / votre dossier

371/30-1
301/30-1 (CRN)

Annual legal land survey program

This is with reference to your letter of January 12, 1971, dealing with annual legal land survey program.

In our letter of January 5, 1971, we informed that Lake Simon and Amos Reserves had been contacted and that the Band Councils concerned were not ready to submit their requirements.

We are again asking Lac Simon and Abitibi Dominion Bands to consider this matter if they foresee the needs of land surveys. Copies of our letters are attached for your information.

A. Lalonde:dg

Encl.

A. Lalonde
A. Lalonde,
Program Administrator,
Abitibi District

Department of
Indian Affairs and
Northern Development



Ministère des
Affaires indiennes et
du Nord canadien

Mr. Alfred Kistabish, Chief,
Abitibi Dominion Band,
Indian Reserve,
Amos, P.Q.

375 Avenue Central
Val d'Or, P.Q., February 19, 1971

371/30-1

Dear Chief:

I would like to know if your Band Council has now assessed the needs for land survey requirements on the Amos Indian Reserve.

If this has not been done and if you foresee having land surveys carried out in the coming years, I must bring to your attention one of the instructions contained in the "Administrative Requirements & Procedures" for submitting legal land survey requests.

Therefore to comply with this instruction, I wish to have you bring to the attention of all your Band Council that in future all bands will have to make sure that their requests are prepared with due consideration in line with the instructions as given by Ottawa. Furthermore, any requests for surveys to be made in the following year must be forwarded to Regional Office to be checked and submitted to Ottawa not later than December 1st preceding the year in which the work is to be carried out. This means that you have to submit a request that will have to reach our office at least two weeks before December 1st referred to above.

For example, if you had to request a land survey for 1972-73 you would have to submit it to our District Office not later than November 15, 1971.

Please govern yourself accordingly.

Yours truly,

ORIGINAL SIGNED BY:
ALBERT LALONDE

A. Lalonde,
Program Administrator,
Abitibi District.

A.Lalonde:dg

Pages 471 to / à 472
are not relevant
sont non pertinentes

371/30-1-Amos (PL)

December 17, 1969.

Surveyor General,
Legal Surveys Division,
Dept. of Energy, Mines & Resources,
Ottawa, Ontario.

Dear Sir:

We acknowledge receipt of two (2) prints of plan #5117-Amos
Indian Reserve.

Would it be possible to obtain copies of plans 2093B and
2093C-Amos Reserve as requested to our Regional Office.

Thanks.

Yours truly,

Original signé par
P. Lainesse

P. Lainesse (Miss),
For/Acting District Supervisor,
Indian Affairs Branch,
Abitibi District,
950-3rd Avenue,
Val d'Or, P.Q.

/ed

**Pages 474 to / à 524
are withheld pursuant to section
sont retenues en vertu de l'article**

23

**of the Access to Information Act
de la Loi sur l'accès à l'information**